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ABSTRACT

This case study describes and interprets the process through which State-level policy decisions are made for the public schools of Texas. The report begins with brief treatments of the socioeconomic environment and political culture within which education takes place. State governmental arrangements for public school policy are described, and four educational issues are reviewed to illustrate the operation of the system. Issues examined include school finance, competency-based certification, desegregation, and regional education service centers. Following these discussions, the essential relationship among and perceptions of the different actors -- legislature, governor, State Commissioner, State Board of Education, Texas Education Agency, special interest groups -- are analyzed. An interpretation of the policymaking process and the roles of those who participate concludes the case study. (Author/DN)

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STATE POLICY MAKING FOR THE PUBLIC SCHOOLS OF TEXAS

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This report is one of twelve case studies growing out of the Educational Governance Project. In addition, two major reports, a comparative analysis across states and an explication of alternative models of state governance of education, are in preparation. The Governance Project began in January, 1972 and is to be completed in August, 1974. The work was funded by the U. S. Office of Education under Title V (Section 505) of the Elementary and Secondary Education Act (OEG-0-73-0499). The Policy Board for the Project was composed of three chief state school officers: Martin W. Essex of Ohio, Jack P. Nix of Georgia, and Ewald B. Nyquist of New York, with the State of Ohio serving as fiscal agent. An Advisory Committee composed of eleven persons concerned with general and educational governance also served the Project. Contract for the work was let to the College of Education, The Ohio State University and Roald F. Campbell and Tim L. Mazzoni, Jr. were the directors.

January, 1974

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INTRODUCTION

The purpose of this case study is to provide a description and interpretation of the process through which state-level policy decisions are made for the public schools of Texas. The report begins with brief treatments of the socioeconomic environment and political culture in which education takes place. State governmental arrangements for public school policy are then described. Next, state policy decisions in four educational issues are reviewed to illustrate the operation of the system. Following this, the essential relationship and perceptions of the different actors are analyzed. An interpretation of the policy making process and the roles of those who participate concludes the case study. The data for this case study were derived from interviews, questionnaires, documents, and secondary sources. The research took place during 1972-1973.[1]

CONTEXT FOR STATE EDUCATION POLICY MAKING

Some understanding of the general socioeconomic and political environment of a state is necessary in order to view the process of education decision-making. The diversity of people and degree of economic development are characteristics that serve to influence the actions of political actors, according to some scholars. The political traditions and customs of a particular state are viewed in a like manner. A brief review of these factors in Texas is presented as background for viewing educational policy making in the state.

Socioeconomic Conditions

Since World War II Texas has been engrossed in the process of modernizing what was formerly a rural and tradition-oriented society. This process has been reflected in a series of economic, population, educational, and attitude changes that have challenged the status quo and created an exciting

state of flux. Texas is sometimes labelled a second California, a tag that implies the presence of massive problems as well as the promise of diversity and vitality. A great increase in educational attainment, large scale population changes involving both intrastate and interstate movements and the growth of a large urban, middle-class have all acted to broaden the experience of many Texans and serve as a source of attitudinal change. The general trend has been to modernize and make more cosmopolitan what was once a mainly inward-looking community.

The urbanization of Texas has not been unlike that which took place in the North and East several decades ago in that it was brought about by a major population shift from the farm to the city, and by migration from out of the state. Since 1945, the rate of the population shift from the farm to the city has been twice as rapid in Texas as for the nation as a whole. Between 1940 and 1950, the urban population in Texas increased 66 per cent; significantly, 29 per cent of this total was accounted for by out-of-state migrants. A striking example of such growth is seen in the case of Houston which was the 21st largest United States urban area in 1940, 14th in 1950, 12th in 1955, and 6th in 1966. In 1970, the Texas population was 11,195,431; of these 8,928,533 inhabitants were urban dwellers and 1,266,898 were rural residents.[2] These figures suggest that Texas policy makers must be increasingly cognizant of urban interests throughout the state.

Future population patterns are not difficult to predict. Two sprawling metropolises are developing around Dallas-Fort Worth and Houston-Galveston. They contained 40.2 per cent of the state's population in 1970 and, if present trends continue, this figure will approach 50 per cent by 1980.[3] A third such area may emerge linking San Antonio and Austin. While the big cities grow and spread, the countryside in most parts of the state is being progressively depopulated. More than half of Texas counties lost population

in the 1950s, and almost two-thirds of them declined between 1960 and 1970.[4] The Texas of the future may well feature a few urban islands surrounded by a largely unpeopled hinterland.

People outside Texas tend to view a "Texan" as being a native-born Anglo. This image is only partly correct. In the 1970 census approximately 18 per cent (2,059,671) of the state population were listed as persons with Spanish heritage. Blacks comprised another 12.5 per cent (1,396,605) of the state population.[5] Thus, when one refers to minority groups in Texas, he is speaking of 30 per cent of the state's population.

The Mexican Americans are concentrated in South and Southwest Texas. The black population is concentrated in North, Central, and East Texas with some migration taking place from these areas to some of the western counties. In 1960, Harris County (Houston) had the largest black population (291,851) and Dallas County had the second largest (137,954). Nine counties of East Texas had between 35 and 55 per cent of their population made up of black Texans. Excluding those of Mexican heritage, the largest group of foreign stock in Texas are those of German descent. Depending on the classification scheme used, 10 to 16 counties in central Texas have been referred to at different times as being German Counties.[6]

If educational levels are measured by median number of school years completed by those 25 years old and over, Texans with a figure of 11.6 median years of schooling ranked below the national median of 12.1 in 1970.[7] At the college levels of education, Texas compared favorably with the national population but at the lower levels, the state lagged far behind. Nearly twice as many Texans had not attended school at all, as was true of the national population.

Within the state, educational attainment is distributed unevenly among

the Anglo, Black, and Mexican-American groups. Anglos have the best rates, blacks have the next best, and Mexican-Americans the poorest. In 1960, for example, 22.9 per cent of the adult Spanish surname population had completed no years of school and only 31.8 per cent had not progressed beyond the eighth grade. Access to higher education is similarly distributed.[8]

Contrary to the popular picture of oil and cattle barons surrounded by Cadillacs, Texans in comparison to their fellow Americans are not blessed with great material abundance. In 1969-1970, the median family annual income was $8,490. The national median family income was $9,590.[9] The occupational patterns of employed Texans have changed in recent years. Declines have been registered in the number of farmers and in the percentage of workers employed in private households and as non-farm laborers. Increases have occurred in the white collar jobs especially in the professional and technical categories.

Despite increased attention to the problems of minorities in securing equal employment opportunities, there is little evidence of significant improvement in their situation in Texas. The United States Equal Employment Opportunity Commission hearings, held in Houston in June of 1970, noted substantial discrimination toward blacks and Mexican-Americans by area employers. William H. Brown III, chairman of the Commission, commented at the conclusion of the hearings that job discrimination in the Texas upper gulf coast area was among "the worst in the nation".[10]

One finds that in terms of education and income, Texas lags somewhat behind the national averages. Much of this lag is accounted for by the markedly lower socioeconomic status of the state's two large minority groups. There are to be sure, many poorly educated and low income Anglos in the state; however, due to their considerably larger numbers the overall socioeconomic status of this majority group does not differ significantly from national

averages. The situation is reversed with respect to minority group members. Some black and brown Texans enjoy relatively high incomes and status but on the whole they are more likely to be poor, less well educated, and unemployed than their fellow Texans.

Despite the urbanization trend noted above, more than 70 per cent of the approximately 1,140 school districts in Texas have fewer than 1,200 pupils in average daily attendance. The number of school age children in non-metropolitan Texas is expected to drop from 750,000 in 1960 to 524,000 by 1980.[11] This shift is important because the state minimum foundation program for schools has traditionally been weighted in favor of the rural districts. Unless changes are made, the large urban centers will continue to get less than their fair share of the state funds. This problem is accentuated by the fact that federal monies are distributed by formulas failing to eliminate such disparities.

The urbanization and industrialization of Texas occurred simultaneously. That is, as more people moved to towns, manufacturing increased. Unions have grown along with industry and the rural exodus to industrial areas. However, Texas membership in labor unions has not grown substantially.[12] The principal growth in the unions has been along the gulf coast around Beaumont and Houston where new heavy industries have flourished. About one-half of the state's union membership is in this area. The light industry around Dallas-Fort Worth produces fewer members, about one-third of the total state membership. The rest of the membership is scattered in the oil field refinery industry around Borger, Odessa, and Tyler. Small industries, especially those employing less than 250 workers, have traditionally been unorganized.[13] Unlike the situation in other industrialized states, labor unions have not grown and prospered in Texas. Texas has been one of the last industrial areas to recognize Labor's right to organize. In 1947 Texas

passed a repressive labor bill similar to parts of the later Taft-Hartley Act at the national level as well as a right-to-work law which forbade both closed and union shop contracts although no penalties were provided in the statute.

Urbanization, industrialization and individualism combined to lend an ideological tone to Texas politics. Political controversies revolve around economic matters and the role of state government in advancing or thwarting economic interest.

Political Culture

Daniel Elazar in an analysis of the nature of American Federalism, provides a useful approach to the types of political orientations, e.g., knowledge, beliefs, and values that we might expect to find in Texas. Elazar contends that the political culture of the United States is a synthesis of three major political subcultures, the individualistic, moralistic, and traditionalistic. In the individualistic political culture, government is popularly conceived of as a marketplace in which policies emerge from the bargaining of individuals and groups acting out of self interest. In a moralistic political culture, people believe that government exists to promote and maintain a shared public interest (the good society) rather than separate private interests. A traditionalistic political culture is based on a paternalistic and elitist concept of government.[14]

Texas is portrayed by Elazar as a combination of two of these subcultures; traditionalism and individualism. East Texas, for example, is traditional; Central and South Texas are dominated by traditionalism but have strains of individualism; and West and trans-Pecos Texas are predominantly individualistic with traditional elements. Thus, the general pattern in Texas is a mixture of traditionalism and individualism.

Citizen polls taken by the Dallas newspapers in an effort to determine the attitude of Texans on the actions of the state legislature have tended to confirm the individualistic attitude among the citizens, as reflected in their criticism of legislative action which supported governmental intervention in private, material areas.[15]

In Texas the most striking feature of the political scene for the last hundred years has been the dominance of the Democratic party, a phenomenon shared with other Southern states. For decades the Republican party functioned only nominally if at all. The result of this situation was the emergence of a factionalism within the major party.

Democratic politics in Texas began to undergo a fundamental change with the advent of the New Deal of President Franklin D. Roosevelt.[16] The third term issue in 1940 split the ranks of Texas Democrats; one group of long-time Democrats organized a splinter group known as the Texas Regulars and bolted the national Democratic ticket. The ensuing clash between the Regulars and the advocates of more welfare programs developed by 1944 into a mammoth struggle. At the beginning of the 1970s some thirty years later, that factionalism continued between "Conservatives" and "Liberals"--two terms not well defined but widely used.

The split in the Democratic party has provided the stimulus for the growth of a two-party system in Texas. More voters began to support Republican candidates and the Republican party carried the state in the presidential election of 1956. The surge of Republican sentiment in metropolitan centers has been most apparent among conservative business and professional people. Many of these Republicans are former Democrats opposed to New Deal, Fair Deal, New Frontier programs and some of them are out-of-state migrants who still retain their original Republican allegiances. The most Republican urban counties are Dallas, Midland, Ector, Potter, Harris,

Taylor, and Lubbock.

Despite the growth of the Republicans, Texas is classified as a one-party Democratic state.[17] The Democrats have had control of over 90 per cent of the seats of both houses of the Texas legislature throughout the 1960s.[18] The pattern of the past, however, may yield to change in the future. In the later 1960s, Texas Republicans made continuing challenges to Democratic dominance. Although not matching their success of electing a United States Senator (John Tower) in 1961 (partial term) and reelecting him in 1966, Republicans captured two state senate seats and nine house seats in 1968 and the Republican candidate for Governor in 1968 received 43 per cent of the total vote, considerably above the average percentage for Republicans in previous years.[19]

Perhaps it is appropriate to refer to present day Texas as a "one and two-thirds party state." That is, in two out of three respects the Republican party has a real chance to win elections. First it has been statistically demonstrated that in statewide contests for national offices, the GOP candidates are strong contenders. Specifically, in the cases of the presidency, and at least one of the two United States Senate seats, the Republican nominees must be rated as even with their Democratic opponents. Second, though they are still somewhat dependent upon low turnouts and rifts within the Democratic party, GOP contenders in statewide contests for the top state offices of Governor and to a lesser degree Lieutenant Governor, can give the Democrats a close race. However, in contests for positions in the United States House of Representatives, the Texas legislature, and in city and in county government, the Republicans still lag far behind the Democrats.[20]

Voter turnout in Texas elections has been low over the years. Nationally in the five presidential elections 1952-1968, the average turnout was 61.7

per cent. In Texas the average in the same presidential contests was only 43.6, or nearly twenty percentage points less. Turnout in state and local races falls off sharply from the presidential figure. The last ten general elections for governor have drawn the votes of an average of 31.8 per cent of the state's adults. The Democratic primaries for governor (which have always produced the winner of the general election) have, over the same period, attracted but 27.8 per cent of the potential electorate.

Voter participation like income, educational attainment, and employment varies greatly among different segments of the Texas population. As one might expect, the poor members of the state's minority groups are less involved in politics than are the more prosperous Anglos.

Texas politics has been basically an Anglo affair often slanted in the direction of status quo elements. White middle-class Protestants have possessed a disproportionate share of the politically relevant resources: income, leisure time, educational skills, and political motivation. The state's political system has responded to this reality. Most political leaders in the state are drawn from and supported by this active stratum of the population, and their decisions as to who shall benefit by government and who shall pay for government reflect this. Reducing this to terms of liberalism versus conservatism (which is, it should be cautioned, only one of the ways of viewing politics), the selective participation patterns characteristic of the state have shifted the mainstream of Texas politics somewhat more to the right of center than might be expected given the socio-economic diversity of its population.[21]

The political implications of concentrated urban growth in Texas are likely to be significant. In the future, primary attention could shift to the difficulties arising from the concentration of many people with radically different backgrounds into very limited amounts of space. Environmental

problems of air and water pollution are already assuming great importance since the cities produce more waste and refuse than they can dispose of. Problems of transportation and housing and schools are taking on a different and more serious complexion in the cities. Included in this array of problems are those associated with the existence in the heart of the urban centers of poor, racial-ethnic minorities surrounded by affluent suburban whites.

The redistricting of the state legislature on the basis of the 1970 census produced, for the first time, a House of Representatives and a Senate in which urban areas have the potential to have dominant representation. Whether discernible trends of a more urban bent among the legislators will emerge remains to be seen. The elected State Board of Education has also (1972) been redistricted and expanded from 21 to 24 members. These changes have brought more urban members to the SBE. Blacks and Mexican-Americans are represented on the new board and the number of women increased from one to two members.

We stated at the outset that a political system is influenced by the social, economic, and cultural environment in which it functions. The relevant aspects of the Texas environment are noteworthy. Socially, Texas is a diverse state comprising three major ethnic groups - Anglo Texans, Black Texans, and Mexican-American Texans distributed in several changing but still reasonably distinct regions. The Texas economy is rapidly developing and modernizing, comparing well in that respect with other states. But not all Texans benefit equally from the economic environment, and Texas emerges as a state with wide gaps between the affluent and the poor. Ranking all 50 states on the basis of the unequal distribution of incomes among their residents, Texas emerges as the 11th highest in income inequality.[22] The pattern of political activity arising from this environment, although

not unique to Texas, is clearly Texan in tone and content. A basically traditionalistic political culture supports a social order generated in less than a century by the exploitation of open country, oil resources, and modern technology. Alongside this traditionalistic orientation is an individualistic one that minimizes the role of government authorities in stimulating social changes or regulating economic affairs. The combined traditionalistic and individualistic elements are exhibited in limited partisan competition and in markedly low levels of political participation.

One of the critical areas of social dispute before the Texas political system in the 1970s is education. Here the problem is multifold, touching upon questions of teacher preparation, academic excellence, teacher salaries, desegregation, and equalization of opportunity and school taxes.

In the 1960s the rationale for increased funding of education in Texas was a relatively simple one, to provide an educational environment in Texas that would retain the state's talented youth rather than permit a "brain drain" to other states. The hoped-for result was the development of a large pool of professional and skilled personnel from which established economic interests in Texas could draw support. But education for the benefit of an exclusive interest falls short of the normal meaning of the "public education" concept. In the 1970s the decision must be made as to whether the clientele ultimately served by educational policy is to be broadened or whether educational policy, in the traditionalistic pattern, is to benefit the established social order.

Educational outputs, however, depend upon financing, which is another major area of public dispute. There is a demand now in Texas for new taxes with which to raise money, and this implies a concern about which interests are to pay higher taxes, be they income taxes, sales taxes, corporate taxes, excises, or whatever. In the area of teacher preparation a mammoth storm

over changing traditional methods of teacher preparation (certification) is emerging.

STRUCTURE FOR STATE EDUCATION POLICY MAKING

We now turn to a brief description of the formal structure of government in Texas. The governor's office and the legislature constitute part of this structure. These instrumentalities affect education as they do other public functions in the state. In addition, we shall look at the State Board of Education, the State Commissioner of Education, and the State Department of Education. These three are often referred to as the state education agency.

Texas Legislature

In Texas the legislature is composed of a House of Representatives and the Senate. The House of Representatives consists of 150 members elected for a term of two years. The Senate consists of 31 members who serve four-year staggered terms. By legal requirement, any single senator must represent approximately the same number of constituents as any other (the "one man, one vote" principle); the same holds true for house members. However, it was not until the late 1960s that legislative districts were apportioned so as to provide for equal population within each. In Texas, as in other states, the effect of such reapportionment has been to increase the formal representation of urban and suburban interests.

The "typical" Texas Legislator, like his counterpart in many other states, is male, white, Anglo-Saxon, and Protestant (or WASP, to use the popular acronym). In 1969, only two women, three blacks, and eleven Mexican-Americans served in the legislature. Nine members were Republicans. Over 85 per cent of the legislators designated themselves as Protestants and most were born in Texas. Approximately two-thirds of the members had college or advanced degrees, while less than 10 per cent had never attended college.

A majority of them were between 30 and 45 years of age. The predominant occupation of legislators was that of lawyer, with 40 per cent of the House and 65 per cent of the Senate listing this as their occupation. The next largest group was businessmen, followed by farmers and ranchers. Only three members listed themselves as industrial workers or union officials.[23]

Restrictions that hamper the Texas legislature have been numerous. The legislature meets only in biennial sessions and then for a maximum of 140 days. Texas legislators have had low compensation ($5,550 annually) which apparently has contributed to the nigh turnover rate among its membership, especially in the House of Representatives. The limited staffing provided to individual legislators and committees has also been a source of weakness.

The legislature has taken steps to deal with some of their structural problems. The steady growth in the number of legislative committees over the years has been a source of criticism. In 1971, the House reduced the number of its standing committees from 46 to 25; and the Senate reduced its standing committees from 27 to 9. In the past, the legislature has operated without a seniority system for making committee assignments which at times resulted in committees with almost entirely new membership from one session to the next. This has been changed so that returning members of the legislature can remain with the committees on which they previously served. Some steps in the direction of improving staffing for the committees have also been accomplished. This was reflected in our discussion with the head of the Senate Education Committee, Senator Oscar Mauzy, who indicated that, with the additional budget provided to his committee, they would be able to employ a staff of seven, (one attorney - two administrative-technical personnel - one administrative secretary - two information specialists - one clerk-typist) which was a fifty per cent increase over previous years.

The principal leaders in the legislature are the presiding officers of the two houses - the Speaker of the House and the Lieutenant Governor. Although these two officials are selected in quite different ways, each has available to him a substantial range of formal powers and informal means by which he can seek to control and direct the actions of his respective house.

The Speaker of the House appoints all members of house committees. If a representative helped to manage the Speaker's campaign or helped garner support for him, he may be able to count on a more important committee assignment. However, since the Speaker in seeking election has bargained with and made commitments to other legislators as well, the representative's assignment is problematic. The chairmen of the key committees usually make up "The Speaker's team." The Speaker also possesses the power of recognition, and he refers all legislation to the committees of his designation.

The Lieutenant Governor is the presiding officer in the Senate. The powers of the Lieutenant Governor are similar to those of the Speaker. He staffs the Senate committees, thereby having a strong influence on the type of legislation adopted by the Senate. However, the Lieutenant Governor has additional powers which the Speaker does not have.[24] He is, for example, chairman of the powerful Legislative Budget Board. The membership of the Legislative Budget Board is provided by law. The Lieutenant Governor is Chairman and the Speaker of the House of Representative is Vice Chairman. The Chairmen of the House Appropriations Committee, House Committee on Revenue and Taxation, Senate Finance Committee, and Senate State Affairs Committee are automatically members. The Lieutenant Governor then appoints two additional members of the Senate and The Speaker appoints two additional members of the House to round out the ten member board. The existence of the Legislative Budget Board though strengthening the role of the legislature

in the budgetary process, does diminish the authority of the Governor in this area.[25] Despite improvements in this area, turnover of committee members is so high from session to session that one-half of the chairmen of some of the important committees are new members, with no previous experience on that committee. The method of appointment means also that House committees usually reflect the interests of the Speaker, and Senate committees the interests of the Lieutenant Governor.[26] How effective the minor changes in the seniority procedure instituted by the House and Senate in 1973 will be in curbing some of the power of the Speaker and Lieutenant Governor remains to be seen.

The size of the committees that handle most education legislation is illustrated in Table 1 below.

TABLE 1
SIZE OF EDUCATION AND APPROPRIATION COMMITTEES

	1971 Session	1973 Session
House		
Education	21	23
Appropriations	21	23
Senate		
Education	15	9
Appropriations	21	13

The courses of action open to a legislative committee in Texas are approximately the same as those in the United States Congress. Upon introduction, bills are referred to committee in both houses. This stage of the deliberative process represents the center of legislative politics. The fate of measures under consideration hinges on committee action. A large percentage of all legislation never makes it out of committee. Procedures exist in both houses which establish an appeal system but the reliance upon the committee system has become so fundamental that appeal action on the floor is generally unsuccessful, and the judgment of the committee almost inevitably prevails. However, this does not hold true

if committees in the House and Senate report on bills that are significantly different on the same topic. If neither of the two houses will change its position, the differences will be resolved through the use of a conference committee. A conference committee is an ad hoc committee comprised of five members from each house appointed by the presiding officers. Usually the members of the conference committee are drawn from the standing committees which originally considered the bill. It is generally felt that the Senate's version of a bill stands a better chance in the conference committees, because as a general rule, its members have built up more seniority and prestige, and are more likely to be deferred to by younger members of the House.

Not surprisingly, the Texas legislature was ranked 38th by the citizens conference on tate egislatures as to effectiveness.[27] While this ranking was higher than most southern states, it was last among the ten most populated states. Looking at the five factors that the citizens conference used in ranking legislatures on effectiveness, we find the Texas legislature ranked nationally as follows: functional, 45th; accountable, 36th; informed, 43rd; independent, 4th; and representative, 17th.

Texas Governor

Half a century ago, the chief executive of Texas wrote: "The Governor's Office is not the primrose path of pleasure. Everytime you throw yourself in opposition to what somebody wants, you immediately become the target for many a poisoned arrow". Thirty years after Governor Pat M. Neff had so described his job, the Austin American editorially agreed that the Governorship was "a devil of a job", but added that there were few inhabitants of the Lone Star State "who wouldn't be really proud

to hold it".[28]

These two descriptions, which point up the rigors of the job, are as valid today as ever. The headaches of being governor are compounded by the provisions of Article IV of the Texas Constitution. Providing that the governor shall be the "chief executive officer of the state", this article in fact disperses the executive power among six other executives: the Lieutenant Governor, the Secretary of State, the Comptroller of Public Accounts, the Treasurer, the Commissioner of the General Land Office, and the Attorney General. With the exception of the Secretary of State,all of these officers are elected by, and responsible to, the voters rather than the governor. Needless to say, this arrangement puts the governor in the difficult position of being only one of the executives.

Texas is one of thirteen states still having a two-year term for the governor (a constitutional amendment to increase the term to four years was passed by the voters in 1972 - and in 1974 Texas governors will be elected for four year terms). There is no limit to the number of terms a governor may serve, although custom formerly limited his tenure to two terms. However, in the 1950s and 1960s, this tradition was broken by three consecutive governors, Allan Shivers, Price Daniel, and John B. Connally, each of whom was elected three times.[29] Given this trend, the weakness of the two-year term might not be as significant as it first appears. However, the amount of time that a Texas governor must regularly spend on his reelection competes with other aspects of his job.

Joseph Schlesinger has developed a general rating of the formal powers of the governors of the fifty states, based on four measures of strength--tenure potential, appointive powers, budget powers, and veto powers. Governors were rated on each of the four factors and assigned a

score from one to five on each factor. A composite score was developed for each state representing the total for that state on all factors. Using this rating system, the Texas governor with only 7 points was rated as the least powerful among the fifty states.[30] While such a rating system has certain short-comings, it does indicate the comparative weakness of the formal powers of the Texas governor.

In addition to tenure, other points in the Schlesinger scale are also of interest. The Governor appoints only one constitutional official, the Secretary of State - the other five consitutional executive officers being elected. The Governor appoints members to Boards and Commissions to serve six-year staggered terms. Generally speaking, these Boards or Commissions are policy-making in nature and do not become involved in a great amount of the administrative detail of the state agency. One of the most important responsibilities of a Board or Commission is that of hiring the Executive Director or the "head" of the state agency. When referring to the "head" of the state agency in Texas, one generally means the Executive Director or that person responsible for the full-time day-to-day operation of the agency. Except in a few rare instances, the Governor does not appoint the Executive Director or the head of the agency and has no direct influence over him. A governor could serve for a two-year term and only appoint a third of the membership of a Board or Commission. (Members of the State Board of Education are elected). In conjunction with his weak appointive power, the Texas governor has no independent power of removal.

The Governor is required to prepare a budget encompassing a spending plan for state government. The budget staff of former Governor Smith consisted of eight men who received appropriations requests from the

different departments. The budget process could be described briefly as follows. During the Fall of odd-numbered years, staff of the Legislative Budget Office and the Governor's Budget Office work together to develop joint budget instructions which prescribe the format and detail for state agency budget requests. These instructions, issued jointly by the two budget offices, are sent to state agencies during February and March of even-numbered years. State agencies develop their budget requests and forward copies of their requests to both budget offices simultaneously. After allowing for a period of independent analysis, the two budget offices conduct joint public hearings with agency officials concerning the agencies' budget requests. After the budget hearings are concluded, the budget offices begin to work independently of one another in their development of staff recommendations. During the Fall of even-numbered years, the staff recommendations are presented to the Governor by his staff and to the Legislative Budget Board by the staff of the Legislative Budget Office. The results of these efforts are two separate documents - the Executive Budget, prepared by the Governor and presented to the Texas Legislature, and the Legislative Budget Document containing the recommendations of the Legislative Budget Board. While weak in many areas, the veto power of the Governor is strong in that he has the power of line-item veto. It requires a two-thirds majority of both houses to override the Governor's veto.

In the area of education, the Governor's staff did not appear to be large enough to generate much in the way of an independent position on issues. Three staff members were identified as working in this area, but they indicated that they spent 5 to 10 per cent of their time, at best, in the area of public school matters and/or school finance. In total,

this would not equal one full-time person. We should note that in 1968 the Governor was designated by statute as Chief Planning Officer for the state. In such position, he has gained (a) staff, and (b) rather telling sanctions (eligibility for Federal funds) reaching into state, regional, and local agencies. As yet, however, he has not moved strongly toward entering state plans for education.

In summary, the factors that tend to weaken the position of Governor are: (1) formal powers that are among the weakest in the nation; (2) the lack of removal powers; (3) and a very small supportive staff. These factors coupled with limited control or influence in the legislature tend to weaken the formal role of the Governor. But the Governor can develop other sources of influence.

It appears that the Governor can use his personal image among the citizenry to advance his program,as exemplified by John Connally. Another method is that the Governor can develop a close working relationship with the different interest groups in an effort to advance his program. Some of the critics of Preston Smith have referred to him as the candidate of the "Austin lobbies". He was particularly close to the leadership of the TSTA.

Texas Education Agency

The Texas Education Agency is composed of the State Board of Education, the State Commissioner of Education, and the State Department of Education.

The role of the Texas Education Agency (TEA) in the administration of the public schools in Texas was influenced by the designers of the 1948 Gilmer-Aikin Act. This act succeeded in establishing a highly prestigious TEA, headed by an appointed commissioner. J. W. Edgar, who

has served as the only appointed state commissioner since 1949, has been successful in instilling an aura of professional expertise "above politics" attitude within the agency. With regard to the TEA, one framer of the 1948 Act observed:

> We put most of our eggs in the basket of a strong and independent TEA to bring about quality education. If we could elect the State Board, we could stop the election of the State Commissioner. We investigated other states and discovered very little interest in state board elections. So we came up with the idea of a Texas-size state board of 21 members to keep it close to the people's interest.
>
> Then we suggested to local superintendents that they get at least two candidates from each of the 21 districts. These candidates were all local board members who were urged to run by their superintendents. We wanted some competition but not four people running.[31]

Professor Laurence Haskew of the University of Texas, at Austin, suggests that the TEA has been successful in getting other actors at the state level to view it as the state's mastermind agency for shaping public education policy. Dr. Haskew offers two illustrations to support this claim. In 1969, a prestigious study committee recommended that the legislature specify a set of goals for all public schooling in the state. The legislature said this was not its prerogative, but was the prerogative of the State Board of Education (SBE). Another example of this stance occurred after the Rodriguez decision when the SBE responded by announcing it would formulate a state school finance program for submission to the legislature. This deferring to the SBE by the legislature and the assumption of finance-system responsibility by the SBE are unusual and unprecedented in Texas according to Dr. Haskew.[32] From a legal position the TEA is dependent upon the legislature as to its area of responsibility and functions. The Texas Education Agency carries out those functions relating to the public schools which are spelled out by the

legislature. Those functions not specifically stated are reserved to the local education agencies. The state responsibilities that are administered by the TEA include:

- Determining the extent and quality of basic educational services
- Assisting local administrative units in carrying out their responsibilities
- Distributing state school funds to school districts
- Coordinating the selection, purchase and distribution of textbooks
- Developing and applying standards for the certification of teachers and other professional personnel
- Accrediting schools[33]

The Texas Education Agency consists of three components: the State Board of Education (which also serves as the State Board of Vocational Education); the State Commissioner of Education; and the State Department of Education. A brief review of each of these components of the TEA is presented on the following pages:

State Board of Education. The State Board of Education establishes the policies and develops plans for the Texas Public School System. Its 24 members are elected on a partisan ballot in the General Election from the 24 congressional districts. Due to congressional reapportionment requiring an increase in the size of the SBE from 21 to 24, all members ran for election in 1972. The board members are elected for six-year staggered terms.

Businessmen, bankers, and lawyers have been heavily represented over the years on the Texas SBE. The first president of the State Board was Robert Anderson who later became Secretary of the Treasury during the Eisenhower Administration. Most of the members of the SBE are recruited by local groups or individuals associated with education, such as school administrators or the teacher's association. In fact, a high percentage of

the SBE members have had previous experience on local school boards. A point worth noting is that $1500 is the maximum amount that any person can spend while campaigning for the SBE.

The SBE is required by law to hold six regular meetings a year in Austin. But as a matter of practice, the SBE has held ten meetings per year. Board members do not receive a salary, but are reimbursed for all expenses incurred in attending meetings of the Board, and in traveling on behalf of the SBE in an official capacity. The SBE in Texas conducts a great deal of its on-going business through its committee structure. The permanent standing committees whose members are appointed by the Board Chairman are as follows: Biennial Budget; Educational Personnel; Investments; Priorities; Special Education; and Vocational Education. In addition to these standing committees, the Board has created a number of Special and Advisory Committees.

The Board's broad spectrum of authority is illustrated by the following list of SBE duties and responsibilities:

1. Appoint, by and with the consent of the Texas Senate, the State Commissioner of Education.
2. Approve a plan of organization for the Texas Education Agency.
3. Adopt policies and enact and establish regulations for carrying out the duties placed upon it or upon the TEA by the legislature.
4. Formulate and present to State Budget Officials the proposed budgets for operating the Foundation School program, the TEA, and other programs for which it has responsibility.
5. Review periodically the educational needs of the State, and recommend new measures to the Governor and the Legislature.
6. Adopt standards for accreditation of elementary and secondary schools and for programs of teacher education in Texas colleges and universities.
7. Appoint members to the State Textbook Committee and execute contracts for purchasing instructional aids, including textbooks.
8. Authorize the appointment of official commissions composed of citizens of the State to advise the Commissioner of Education in the discharge of his duties.
9. Direct investments of the permanent school fund within the limits authorized by the Texas Constitution and the Legislature.

10. Adopt policies for operating the Texas School for the Blind and the Texas School for the Deaf.
11. Pass upon appeals made from decisions of the Commissioner of Education.[34]

State Commissioner of Education. J.W. Edgar has been the only State Commissioner since passage of the Gilmer-Aikin Act in 1948 which set up the present structure. He was superintendent of the Austin (ISD) City Schools at the time of his appointment as State Commissioner in 1949. Commissioner Edgar more than any other individual is responsible for the non-political image of the TEA.

The Commissioner is appointed by the SBE for a four-year period, and he can be reappointed. The Texas Education Code sets out the following requirements for the position of State Commissioner:

> The State Commisioner is to be a person of broad and professional educational experience, with special and recognized abilities of the highest order in organization, direction and coordination of education systems and programs, and in administration and management of public schools and public education generally. The Commissioner of Education must be a citizen of the United States and shall have been a resident of Texas for a period of not less than five years immediately preceding his appointment. He must possess good moral character, be eligible for the highest administrator's certificate currently issued by the State Department of Education, and shall have at least a Master's degree from a recognized institution of higher learning.[35]

The Texas Education Code further points out the duties of the State Commissioner as follows:

> The Commissioner of Education shall be responsible for promoting efficiency and improvement in the public school system of the state, and shall have powers necessary to carry out the duties and responsibilities placed upon him by the legislature and by the State Board of Education.
>
> In meeting the requirements of the law, the Commissioner:
>
> (a) Carries out rules and regulations established by law and the State Board of Education;

(b) Promotes efficiency and improvement in the public schools of the State;
(c) Makes recommendations to the State Board of Education programs and supplies information needed for decision making;
(d) Prescribes reports to secure information needed for educational planning; and
(e) Hears appeals made by citizens dissatisfied with rulings of the local boards.[36]

Under the arrangements for the TEA, the Commissioner has certain statutory powers which the SBE cannot override. For example: The SBE cannot adopt a textbook unless it is recommended by the Commissioner. The Commissioner appoints members to advisory commissions (e.g., State Board of Examiners for Teacher Education) and the SBE cannot override.

State Department of Education. The State Department of Education is organized into divisions and sub-divisions by the Commissioner of Education with the approval of the SBE. The directors of the major divisions of the State Department of Education and all other employees are appointed by the Commissioner according to the general rules and regulations adopted by the SBE. The rules and regulations pertaining to personnel administration include a comprehensive classification plan, including an appropriate title for each position, a description of the duties and responsibilities, and the minimum requirements of training, experience, and other qualifications essential for adequate performance of work. Provisions for tenure, leave, and retirement are also provided in the rules and regulations.

The State Department of Education carries out the mandates, prohibitions, and regulations for which it is made responsible under Section 11.63, Texas Education Code, 1971. The following responsibilities are outlined:

(a) Administers programs as directed by law and the Governor;
(b) Establishes procedures to ensure that schools are complying with State laws and policies adopted by the State Board of Education;

(c) Develops programs and carries on activities to assist local school systems in improvement of instruction and administration; and
(d) Works with advisory committees and commissions composed of professional educators and other citizens of the state.[37]

In summary, the Legislature, Governor, State Board of Education, Commissioner of Education, and the State Department of Education make up the formal structure for educational policy making in Texas. Policy is influenced by more than just the formal actors in a system, as one will note later in this report.

PROCESS OF STATE EDUCATIONAL POLICY MAKING

Four educational issue areas in Texas were examined to enhance our understanding of the system of education policy making. The utility of these issue areas for purposes of viewing the system in action varies from issue to issue. The finance area involves many of the major actors in the system. The certification issue began by being centered in the education profession but has since come to involve other actors as well. The desegregation issue affords an opportunity to assess the role of the courts and their impact on the system. The fourth issue area, program improvement, focused on the development of Regional Education Service Centers (RESC) and involved chiefly the actors in education.

School Finance

Before considering school finance as a policy issue in Texas, it is important to describe briefly the nature of the state program which has evolved in this area. Comparing Texas to the other states on some conventional school finance measures reveals that it is somewhat above average on school expenditures, somewhat below average on ability to support education, and well above average in terms of tax effort. Specifically, Texas ranked 18th in 1972-73 expenditures for public elementary and secondary education with a figure of $1,044 per pupil; ranked 32nd in 1972-73 on personal income per child with a figure of $14,251; and ranked 10th in terms of the percentage of personal income spent on education with a figure of 5.6.[38] More noteworthy is the disparity in spending among Texas school districts. In 1969-70 the range of per pupil expenditures was from $5,334 in the highest district to $264 in the lowest. This ratio (20.2 to 1) was exceeded by only one other state, Wyoming.[39]

Education in Texas, as in many other states requires the largest single

appropriation in the state budget. For the school year 1971-72 the amount budgeted was 1.1 billion dollars.[40] Over the last decade there has been an increase in the cost of public education in Texas by 300 per cent and there is no evidence that these costs will not continue to go up.

Basically, Texas public schools are financed by local and state monies with federal funds providing only for special supplementary programs except for programs in vocational education and for federally impacted districts where funds may be more substantial. In 1971-72, approximately 47.3 per cent of the revenue was provided by the state. Local districts provided 41.5 per cent, and the federal government provided 11.2 per cent.[41]

State funds for the support of the foundation school program are derived from two sources--the Available School Fund and the Foundation School Fund. The Available School Fund is financed by earmarked state taxes and by earnings from the Permanent School Fund. This fund was created by the Constitution of 1854 as a perpetual resource for the development of public schools in the state. The Foundation School Fund is financed through the General Revenue Fund, the Omnibus Tax Clearance Fund, and certain dedicated taxes.

Local funds come primarily from property taxes. A small portion of local funds are derived from such sources as rentals from property and tuition paid for student transfers. Some counties in the state supplement local property taxes from County Available School Funds which are derived principally from interest earned on investments of County Permanent School Funds and from rental on grazing lands now owned by only a few of the 238 counties from original grants of four leagues of land from the state.[42]

One source of conflict in the distribution of state funds is the method of allocating the State Available School Fund. The Constitution of 1876 reaffirmed earlier Constitutions by providing public school lands for the

Permanent School Fund. The receipts from this endowment include oil and gas royalties, bonuses, rentals, awards on mineral leases, proceeds from land sales, and other sources. This fund has increased from two million dollars in 1854 to more than 900 million dollars in 1972. The investment earnings from this fund go directly to the Available School Fund and amounted to 41 million dollars in 1972. The source of conflict surrounding this fund stems from the fact that most of the monies from the Available School Fund are distributed to districts on a flat per pupil in average daily attendance basis regardless of the relative wealth of the district. However, amounts so received are charged against district eligibilities for Minimum Foundation Program funds; conflict arises because districts whose eligibility for MFP funds is less than their Available Fund per capita eligibility still receive the flat grants.

In computing the cost of the Minimum Foundation Program (MFP) in Texas there are three basic components. The first of these is teacher units; the average daily attendance (ADA) of students is the basis for this determination. Table 1 illustrates the basis for allocation of Classroom Teacher units (CTU).

TABLE 1

ALLOCATION OF CLASSROOM TEACHER UNITS

Average Daily Attendance	Number of Teacher Units	
15 - 25	1	
26 - 109	2	for the first 26 pupils and 1 for each additional 21 pupils
110 - 156	6	
157 - 444	1	for each 24 pupils or fraction in excess of .5
445 - 487	19	
488 and over	1	for each 25 pupils or fraction in excess of .5

Additional units for special personnel are based on the allocation of CTUs. For instance, one unit for a principal was allowed for each 20 CTUs. On the basis of the statutory minimum salary schedule based on years of experience

and degrees held, the Texas Education Agency computes the MFP salary cost in the district. Second, maintenance and operation costs are computed on the basis of teacher units at the rate of $660 per teacher unit plus $400 per vocational teacher. Formula allocations of personnel and maintenance-operation units do not prevail in Vocational Education and Special Education where special state provisions pertain.

The third major MFP cost category is transportation. MFP transportation cost is determined by many variables: eligible pupils transported, length of routes, number of routes, the size of buses and road conditions. Notably missing from the State's MFP is any provision for state sharing in the cost of physical plant construction. Such funds must be derived exclusively from local district taxes.

The three preceding major items in the MFP plus other minor items are totaled for all districts of the state to determine the total foundation costs for a given school year. The costs for the school year 1970-71 are shown in Table 2.

TABLE 2

FOUNDATION PROGRAM COSTS, 1970-71 (estimated)

Salaries for Foundation Program Personnel including Teacher Aides	$ 955,684,603
Maintenance and Operation	75,266,557
Transportation	24,039,931
Agency Administration	2,004,702
Other Special Education Programs	7,028,189
Subtotal	$1,064,023,982

When this program (MFP) was established, the state agreed to provide 80 per cent of the funds needed and local districts the remaining 20 per cent. This does not mean that each district shares its cost of the MFP with the state on an 80-20 basis. The ability to pay is based on an economic index for an entire county (wealthier counties receive less than 80 per cent

while poorer counties receive more than 80 per cent from the state). The more widely used assessed property valuation is only employed to apportion ability to pay within the county.

The economic index is used in only a few states. In Texas the economic index for each county was determined by the following weighted factors: (1) assessed property valuation of the county, weighted by twenty; (2) scholastic population of the county, weighted by eight; and (3) income for the county as measured by value added by such items as manufacturing and payrolls, weighted collectively by seventy-two. Data for most components are four or five years old and in need of adjustment. Production estimates for agriculture products are based on the 1954 Census of Agriculture.[43] Since many of the factors that make up the economic index take place largely in cities, they are penalized for their economic activity and thereby receive less state aid. A series of "escape" and "credit" statutory amendments to the local ability (economic index) portion of the original Foundation Program law have reduced sharply the capacity of the index to distribute required local effort equitably. A 1956 study by the Texas Research League concluded that the economic index was no proxy for equalized assessed property value.

Although complexity and inequity are often charges leveled against the Texas MFP, these charges are said to stem from deeper causes. One is the reluctance of legislators and governors to empower a state-level agency to police or enforce uniform valuations of property across the districts of the state. A second is alleged state-level distrust of the probity of local districts in applying state funds; hence, it is said, categorical restraints--necessarily complex--are placed in the MFP statutes (salary schedules, certification stipulations, ear-marking of salary funds, etc). The prestigious Governor's Committee on Public Education in 1969 stated that

"inequities and irregularities were the rule rather than the exception." The Governor's Committee also documented the inequities which resulted from using county tax rolls in determining a county's ability to pay taxes in relationship to the other counties in the state and in determining a school district's ability to pay taxes in relationship to the other districts of the county. This committee issued a set of recommendations that would have drastically overhauled the MFP if they had been adopted. The 61st (1969) legislature chose not to alter the state's financing system for public education. In fact, the only recommended change in the MFP that was made as a result of the Governor's Committee recommendations was a ten year automatic state salary schedule increase for teachers (H.B. 240). The TSTA was largely responsible for this since they aggressively advanced this bill through the 61st legislature (1969).

Due to the fact that allowances for teacher units and personnel salaries make up such a large portion of the MFP, the TSTA has generally played a central role on this issue in each session of the legislature. Their efforts have generally been focused on passing a teacher pay increase bill. With the passage of H. B. 240 in 1969 (ten years of automatic pay increases) the necessity for this action was substantially diminished. But another concern, that is, the press for a general overhauling of the Texas MFP rose to a new level of saliency. The impetus for this change came not from the TSTA, but from the courts.

When originated, the legal action which became Rodriguez versus San Antonio ISD, as noted later, did not represent an effort to overturn the existing state school finance statutes. In its early form (summer 1968) the plea centered around the consolidation of the school districts, at least for school finance purposes, in Bexar County. The desired outcome was the equalization of tax effort and educational opportunity within this county.

The defendants in the first suit were San Antonio ISD and the wealthier school districts of the county.

The court postponed final judgment in the case to give the 62nd (1971) legislature an opportunity to enact legislation that would alter the state system of school finance in a manner which would resolve the issues in the case. This did not take place; the 62nd legislature adjourned without changing the state school finance system. The plaintiffs began to press for a decision from the court at this point. Moreover, as a result of the Serrano versus Priest case in California (1969), the pleadings in the Rodriguez case were amended to conform to the strategies used in the Serrano case.

San Antonio ISD and the other school districts of Bexar County were dropped as party defendants and the consolidation of schools in Bexar County was not even mentioned in final oral arguments before the Court. Legal counsel who had assisted in the development of the Serrano case in California was brought into the case by the plaintiffs in order that everything possible might be done to achieve a decision similar to that which was rendered in California. The suit became an all-out attempt to have the Texas school finance system declared unconstitutional.

On December 23, 1971, Judges Goldberg, Spears, and Roberts, a three-judge panel of the United States District Court, Western District of Texas, San Antonio Division, ordered that:

> The defendants (the Commissioner and State Board of Education) be restrained and enjoined from giving any force to the Operation of Article 7, sec. 3 of the Texas Constitution, and the sections of the Texas Education Code relating to the financing of education insofar as they discriminate on the basis of wealth.
>
> The defendants restructure the public school financing system in a manner that does not violate the equal protection provisions of the U.S. and Texas Constitution.[44]

The judges stayed the order for a period of two years to give the defendants and the legislature an opportunity to develop, enact, and begin the implementation of a finance system acceptable to the court.

Although the ruling was clear, it stood in the shadow of a possible reversal by the United States Supreme Court. The higher court decided to hear the state's appeal on the basis of "probable jurisdiction."

The Rodriguez case brought up two fundamental questions about a new finance program for Texas education: (1) the problem of who pays, and (2) the issue of taxpayer equity.

The Federal District Court in the Rodriguez Decision concluded: "For poor school districts, educational financing in Texas is...a tax-more, spend-less system." The plaintiffs did not ask, and the Court did not require, that taxation be made equal--either among districts or among taxpayers. The decision required only that the quality of education in a school district must not be a function of wealth other than the wealth of the state as a whole.

As a result of the court's ruling, the State Board of Education took almost immediate action to meet the responsibility which the court had mandated. At its meeting in January, 1972, the State Board of Education assumed full responsibility "for developing a proposal to be submitted to the Governor, the legislature, and the general public which would provide for financing public education in Texas in accordance with the requirements of the final court order and in accordance with standards of high quality commensurate with the financial ability of Texas."[45]

The Board invited other groups making similar studies "to coordinate their findings with the Board so that the final proposal would represent the broadest participation possible by the State of Texas."[46] The Board established a Committee on School Finance and task force groups were set up in the agency

to work on different components of the plan. One of the task forces within the agency (TEA) took the responsibility of developing a common data base which could be used by other groups who were working toward the development of new finance plans.

The court action brought a large number of groups into the process of searching for a solution to the finance problem. The following groups were developing a finance plan or were supporting other groups working on specific plans:

1. State Board of Education Special Committee on School Finance.
2. Texas Research League Study of Foundation School Program Financing.
3. Texas Association of School Boards Foundation School Program and Finance Committee.
4. The Senate Interim Committee on Public School Finance.
5. Texas Advisory Commission on Intergovernmental Relations.
6. Texas State Teachers Association Task Force on School Finance and Program.
7. Texas Council of Major School Districts School Finance Task Force.
8. Texas Manufacturers Association Public Education Research Committee.

Many of these groups merely provided information and attempted to help facilitate the work of other groups which had decided to develop a complete finance proposal. The three most prominent groups working toward the development of complete finance plans were: (1) the Senate Interim Committee on Public School Finance; (2) the Texas State Teachers Association Committee on School Finance and Programs; and (3) the State Board of Education Committee on Public School Finance.

The many groups involved in this process shared data and ideas. In an effort to keep misunderstanding at a minimum, the groups agreed to work

from a common data base that was established by the TEA. They also agreed that the following questions should be addressed in any plan that was developed:

1. The level of staffing. What is the appropriate level of staffing necessary for an adequate education?

2. The salary level. What is the appropriate level of salary for educational personnel in Texas?

3. Staffing flexibility. To what extent shall the state allow local districts flexibility in the choice of employed staff?

4. General flexibility. To what extent shall the state aid programs provide the local district unrestricted revenues?

5. Local leeway. What is the appropriate level and method of financing for local leeway above the Foundation School Program (local leeway refers to money raised at the local level above and beyond the MFP)?

6. Local funding of education. What is the appropriate level of property taxation for the local support of education?

7. The total operating cost of education. What is the appropriate cost of education in Texas from both state and local funds? Of this amount, how much shall be born from state and local revenue resources?

8. Determination of local ability. How shall the local ability of each school district be determined?

9. Funding of capital facilities. How shall school facility and equipment costs be financed?

By late November of 1972 three groups were prepared to lay out proposals for redesigning the Texas School Financing System. A brief description of each of these plans is presented below:

The Committee of the State Board of Education Plan

The State Board prepared a long range plan that called for total state funding by 1978-1979. The controversial Minimum Foundation Program for 1970-71 required the state to pay 80 per cent of the foundation program and local districts an average of 20 per cent. The long range plan provided for a

six-year implementation schedule which would raise the floor under local budgets by providing additional state money for salaries and operating costs. By 1978-1979 the proposed plan would increase foundation costs to over 2 billion compared to slightly more than 1 billion in 1970-71. Included in that amount would be a $100 per year supplement per poor child. The State Board did not, however, recommend placing any ceiling on the amount of local leeway taxes a district could levy.

This plan drew some opposition from the new Board members, who joined the SBE in January of 1973 (14 of 24 were new at that time), resulting in changes. The official plan devised and recommended by the SBE had four salient features. First, an increase of one billion dollars (83 per cent) in the Foundation Program level would be phased in over 8 years. Second, the state-to-local share would begin at 80:20 and phase upward to 100:0 ("full" state funding) in 1978-79 and beyond. The economic index (revised) would be used to determine district shares until full state funding was reached. Third, lump-sum components (i.e., discretionary items) of Foundation Program support would be increased sharply; ear-marked components (e.g., teacher salaries) would be increased in lesser degree. Fourth, the plan omitted mention of any limits upon local district discretionary taxation.

The Texas State Teacher Association Plan

The TSTA Committee considered carefully a shift to the weighted-pupil Foundation Program approach advocated by the National Education Finance Project. Agreement was reached that weightings not adequately recognized by the existing MFP were necessary. But, it concluded that "for legislative and public understanding" the concepts involved in the existing MFP formulas and devices for calculating local district need should be continued. Interestingly, no formal statement of the "TSTA Plan" was ever issued. Instead,

the recommendations of the Program and Finance Committee were transmitted to the TSTA Legislative Committee--details and, presumably, compromises to be left to negotiations with bill sponsors and legislative committees. The recommendations featured "enrichment" of the Foundation Program to a level consonant with that currently provided for 50 per cent of the pupils in the state. The "enrichment" consisted of (1) more personnel units per district, (2) a $700 across the board increase for all positions on the state salary schedule, and (3) increased lump-sum allotments for special needs. The total enrichment package approximated $800 million. The sharing between state and local taxes was to be based on true market value of property, which would produce a decided departure from previous tradition. The share of the Local Funds Assignment to be charged to each district was to be its percentage of the true market value of all property in the state.

The Senate Interim Committee Plan

The Senate Interim Committee, headed by Oscar Mauzy, actually developed three separate revenue plans and four separate distribution plans and ran computer tests of all twelve combinations for each district in Texas. Costs for the three plans ranged from 1.7 billion to 2.3 billion by 1978-1979. All three plans attempted to shift the calculation of local need from the existing "program" approach to the weighted-pupil, local discretion approach, but did retain some categorical restraints. The Senate Interim Committee itself, however, never adopted or submitted an actual recommendation.

The Texas legislature during the months of February, March, and April of 1973, discussed the different plans. Many of the legislators were in favor of moving forward on revising the MFP, but the prevailing mood seemed to be one of waiting for the ruling from the Supreme Court which was expected during April of 1973. In late April of 1973 the U. S. Supreme Court in a

5-4 decision reversed (387 Fed. Supp. 280, reversed) the lower court's ruling in the Rodriguez case and held that the burden of providing equity in school finance should be left to state legislatures. This reversal by the U. S. Supreme Court took much of the urgency out of the process of developing a new system of state school finance. While it is true that the U. S. Supreme Court placed the burden of responsibility on the state legislatures, the previous stimulus of a court deadline had been removed. Now the prospect for change would be more difficult for legislators who were less than "lukewarm" for revision of the MFP had more time in which to stall or ask for more studies.

The three groups which had worked on specific finance plans were now at a distinct disadvantage. In an all-out effort to push one plan through the legislature, a compromise plan which contained some of the features of the earlier proposals made by the TSTA and the SBE was incorporated into H.B. 946. This bill was sponsored by the Chairman of the House Education Committee, Representative Dan Kubiak. It would have increased the cost of the MFP program by the following amounts: 97 million in 1974-75, 438 million in 1975-77, and 437 million in 1977-79. According to TEA figures this would have placed the cost of the MFP at 1.9 billion by the 1979 school year. It placed no limit on the local leeway of districts. The bill (H.B. 946) would continue the state-local partnership in the Minimum Foundation Program, bring <u>all</u> districts in the state up to the existing statewide average level of spending, and would abolish the old economic index in favor of an index system based on the full market value of property within each district. The bill proposed that agricultural land be taxed on the basis of market value, and would add capital bank stock to the types of property that could be taxed. Though the bill did not specifically call for an increase in statewide taxes, it was apparent to both those supporting and those opposing the bill that in

order to raise the 438 million required during the 1975-1977 biennium a statewide income tax or an increase in the sales tax would be necessary.

This bill had rather wide support among education groups. The TSTA worked closely with Representative Kubiak in working out the original details of the bill. The TEA was also supportive. While recognizing that TSTA had padded the bill somewhat with teacher benefits, supporters knew that a consolidated effort was required for success. The TASB also supported this bill, which seems plausible, since the bill was proposing large increases in state aid, which would relax the financial pressure confronting many local school boards. Representative Kubiak was able to get a positive vote on 946 in both the House Education Committee and the House of Representatives. But not all actors supported the bill.

Governor Dolph Briscoe had been proclaiming "no new taxes" throughout the spring of 1973. Thus, he was opposed to Representative Kubiak's bill (H.B. 946). The Governor was not alone in this position. A number of Democratic and Republican legislators were supportive of this "no new taxes line". Supporters of the Governor appeared to be stronger in the Senate than in the House. The Governor as well as other legislators who were opposed to H. B. 946 labeled it as a "TSTA bill", pointing out that only 39 per cent of the new money called for in the bill would go for equalization. The Texas Research League pointed out that the Edgewood District, alluded to in Rodriguez, would still be "33rd from the bottom" among Texas Districts if H.B. 946 were fully implemented. It was further pointed out that the bill would add 25,000 teaching jobs and other teacher benefits at a time when the pupil enrollment was calculated to decline by 14,000 students. The obvious strategy of those attacking H.B. 946 was to paint it as another "TSTA teacher welfare bill." The Governor at one point stated that H.B. 946 was a scheme to spend billions more without essentially altering the crumbling foundation

of the MFP. He said more study was needed before some of the difficult questions surrounding assessment and market value determinants could be answered.

Senator Oscar Mauzy, head of the Senate Education Committee, maintained a position that at times was difficult to follow. At one time, Senator Mauzy had advocated and seemed to favor a full funding by the state of the MFP, but this position had very little viability late in the 63rd session. Senator Mauzy was not supportive of H.B. 946 which was somewhat in contrast with his previous positions. His chief criticism of H. B. 946 revolved around local leeway, he stated: "There ought to be some local leeway, but I also think the educational opportunity available to a child should not be determined by economic circumstances or the tax base where he lives."

The strategy of the Governor and Senators who were opposed to H. B. 946 was to stop it and offer their substitute in the Senate Education Committee. The substitute developed by the Governor and his supporters on this issue, consisted of a "stop gap" plan of providing 39 million dollars to the 112 poorest school districts in the state. According to supporters of this plan, it would provide some immediate relief, allow more time for study, and stay within the "no new state taxes" position which they advocated.

Thus, at this point the legislature was divided into four groups with different positions which can be summarized as follows:

1. Do nothing, a course favored by a number of legislators who did not want to upset a tax system that seemed to favor oil and gas, agriculture, and industrial interests in some areas.

2. Delay action in hopes that the Governor would call a special session of the legislature to deal exclusively with school finance.

3. Support the Briscoe bill of 39 million which would buy more time.

4. Support the Kubiak bill (H.B. 946) which would bring on new state spending and new state taxes.

The finance struggle took place in the last four weeks of the legislative session, which meant the legislators were working under the pressure of adjournment.

The Kubiak bill and the Governor's bill drew support and criticism from various quarters throughout the state. The People's Lobby for Equal Education (PLEE) organized by Demetris Rodriguez led a march of 4,000 on the state capitol during this controversy to protest the lack of action for school finance. This group was made up largely of Mexican-Americans; many of the marchers were also members of La Raza Unida which had supported Ramsey Muniz in the last gubernatorial election (1972). Rodriguez commenting from the capitol steps, said: "People from poor school districts have suffered long enough. Today we present you legislators with a challenge--overcome these barriers to educating our children. This state is rich but we cannot leave our children oil, cattle, or land. Give us our bootstraps and we will pull ourselves up."[47] This demonstration ended with Governor Briscoe explaining what his 39 million dollar proposal would do for Edgewood. The protesters were temporarily placated by the Governor's explanation, but later joined forces with those who were opposing the temporary solution.

A number of other individuals were critical of the Governor's plan. Senator A. M. Aikin who was a supporter of the House Plan (H. B. 946) and opposed to the Governor's temporary approach commented in the following manner:

> If the legislature does not provide a permanent solution, the federal courts will.
>
> We didn't get a pardon from the Supreme Court. We got a reprieve. That's the issue. Do we want the Supreme Court of the United States to do it? I don't like to vote for taxes any more than anyone else, but we ought to face up to our responsibility.[48]

L. P. Sturgeon, Executive Secretary of the TSTA, was not happy with the Governor's proposal either and stated, "The real question is not whether the plan (H.B.946) would be costly but whether you want to continue the inequities."[49] Cecil Rusk, Executive Director of the TASB, also blasted the Governor's proposed modest solution as being a form of "welfare for poor school districts."[50] A member of the Dallas League of Women Voters called the Governor's plan a "finger in the dike approach." "It's like re-arranging deck chairs on the Titanic."[51]

The Texas Senate at the 11th hour failed to reach agreement on either the House plan or the Governor's proposal. As a result a Conference committee was formed and they recommended a $44 million proposal that would require no new taxes. In essence, this compromise was a slight revision of the Governor's proposal.

The different groups who were in favor of more massive and permanent reform, including the Mexican American groups and some black organizations, opposed the compromise. In hopes of getting a special session of the legislature called, they worked vigorously for the defeat of the compromise in the House. Many other groups and legislators were also opposed to this temporary solution. The final vote in the House was 70-70 and the Speaker refused to vote in favor of the measure, so it was defeated. Thus, the legislature adjourned without taking any action.

Representative Kubiak scheduled meetings of the House Education Committee in various cities across Texas during the months of July and August (1973) in an effort to pressure the Governor to call a special session of the legislature to deal with school finance. Some 20 school superintendents were scheduled to testify before his committee. The Governor and the "no new tax" group resisted the idea of a special meeting of the legislature. Even so, the Speaker of the House, Price Daniel, Jr. instructed Kubiak to

have a bill ready to go in September (1973), which seemed to indicate that a special session would be called.

In summary, an overwhelming amount of work and political activity took place, but school tax reform still was not achieved during the 63rd legislative session in Texas. Confusing signals from the courts, of course, did not help. The comment of one member of the Dallas Board of Education, who worked with the Senate Finance Committee, sums up the real problem:

> The main problem in the struggle to devise an equitable system of financing public education is a political one. No one wants to step on toes by telling people they're not paying their share and they're going to have to fork it over. [52]

The Supreme Court decision gave the Texas system more time. It appears that Texas finds it difficult to effect a new finance program without the prodding of the court to get it to act or the existence of a court mandate on which to blame or cushion its action. This issue also points to the fact that when a solution to the problem portends large new tax measures and a redistribution of these funds that not even the powerful TSTA or its allies are strong enough to bring about change.

Competency Based Certification

The State Board of Education with the recommendation of the Commissioner, adopted a new program and design for the certification of teachers on June 10, 1972. The title of this new program was competency/performance-based teacher education and certification.

This program received support and impetus from a number of sources. The Texas Education Agency had been experimenting with a variety of teacher preparation ideas and programs during the late 60s and early 70s. Some of these ideas were incorporated into the new plan. National criticism of the quality of teachers and appropriateness of their preparation was another motivating factor. The Texas Classroom Teachers Association also was

beginning to criticize the relevance and appropriateness of teacher certification and preparation. The 1969 Governor's Committee on Public School Education was aware of these criticisms and made proposals and recommendations that spoke to the issue in general terms and provided some of the initial impetus for these changes. A part of the Committee statement on certification follows:

> During the next decade Texas will have an excellent opportunity for improving the calibre of college students attracted to the public education profession. Rather than leave the recruitment of such students to chance, the Governor's committee proposes a program of state support for their early identification and involvement in practical educational experiences.
>
> Careful supervision under the program should help weed out prospective teachers who are not suited for a lifetime association with children. The experience should also help prospective teachers decide with some assurance whether or not they wish to follow a teaching career. Improving the probabilities for successful placement of teacher training graduates should reduce both the overall cost of preparation and the initial turnover rates among new teacher employees.
>
> The Governor's committee proposals call for better enforcement of existing standards, more adequate financing of the program and coordination with regional and accreditation agencies.
>
> The Governor's committee believes that statutory prescriptions of teacher certification requirements should be eliminated because they are unnecessary and because it is difficult to keep them up to date.[53]

At the February 1969 meeting of the State Board of Education, the Texas Education Agency was charged with the responsibility of developing a design for certification in accordance with the recommendations of the Governor's committee on public school education. The text within which this charge was worded implied that this design should emerge from a broad re-study of present conditions in Texas related to certification and to consideration of certification trends throughout the nation.

In May 1969 the State Board of Education also charged the Department to study the preparation program for school administrators. This charge carried with it the additional responsibility to make recommendations for improvement of current standards.

The call by the Governor's committee and the response by the State Board of Education, led to two and one-half years of intensive study. During this time three distinct aspects of this program emerged: (1) teacher education, including teacher aides, (2) the preparation of school administrators, and (3) student teaching. The significant events that occurred over this two and one-half year period are reviewed below.

In 1969 the State Board of Education authorized a task force to study the preparation and certification of professional personnel which serve public schools of Texas. This task force of 35 members, broadly representative of the total profession, though not of the general public, met regularly, about once a month for two and one-half years studying information gathered from throughout the state and designing new thrusts in teacher education certification. Study guides which identified issues were designed and used as a basis for discussion in two series of regional conferences conducted to gather information from teachers, administrators, college/university teacher education personnel, student teachers, and others regarding teacher education/certification. Approximately 25 regional conferences were held during each series. Position papers expressing points of view on teacher education/certification were requested and approximately 100 were received. During this period of time two other series of regional conferences were conducted to share information with the state regarding new developments in teacher education/certification in Texas and in other states.

In 1969, 1970, and 1971 the programs of the annual Texas Conference on Teacher Education and Certification were designed to share information regarding new developments and to gather ideas from educators and teacher educators on teacher education/certification. At the 1971 annual conference, held in October of that year, approximately 1,000 educators and teacher

educators had an opportunity to react to many of the points that were eventually adopted by the State Board of Education on June 10, 1972.

The role of this task force appears to support a generalization that some observers have made in reference to the TEA, that is, its commitment to localism or local control. It appears that the prime mission of this task force was to build a wide base of support for these changes.

During the two and one-half years in which the task force was gathering information and designing changes in teacher education/certification, the Student Teaching Act was passed and the Texas TTT (Trainers of Teacher Trainers) project, U. S. Office of Education program, was developed.

The 61st (1969) Texas legislature passed Senate Bill 8 (Student Teaching Act) which established the joint responsibility of college/universities, public schools, and the State for the student teaching programs. This law also provided funds to support the student teaching program which greatly facilitated the efforts to improve teacher preparation and laid the foundation for the teacher center concept.

In 1970 the Texas Performance-Based TTT project was initiated. This project, designed to field test several of the concepts included in the competency/performance-based teacher education and certification program, was in its third year of operation at the time of our study. When the TTT project was initiated in 1970, it was based upon two premises: (1) all teacher education should be performance-based, and (2) the setting for teacher education should be the educational cooperative (Teacher Center) involving the local system district, the college/university, the education service center, and the local community. In 1971 a third facet, continual teacher education and upgrading, was added and developed, also with U. S. Office of Education support, into the Texas Education Renewal Center (TERC) component of the Texas project.

During 1970, the Texas Performance-Based TTT Project consisted of a state coordinating unit, a national coordinating unit, and four teacher centers. The state coordinating unit was the Texas Education Agency. Statewide steering and advisory groups were organized to provide input to the project in the development and field testing of teacher education models designed to incorporate both the "teacher center" concept and the "performance-based teacher education" concept. The American Association of Colleges for Teacher Education, as the national coordinating unit for the project,was responsible for gathering and disseminating results. It served as a clearing-house for information about research and about the state of performance-based teacher education.

The four teacher centers established in 1970 were located at the University of Houston, Texas Christian University, University of Texas at El Paso, and West Texas State University. Their basic commitments were to design and pilot-test performance-based teacher education programs within the context of the cooperative.

In July 1971 the Texas Education Renewal Center (TERC), Texas Information Services Project, and Dallas Teacher Training Complex were added as additional components to the Texas project. The primary goals of TERC were to provide technical and developmental assistance to the network of teacher centers in Texas, and to install and operate through the teacher center network a delivery system for new and improved educational practices and products with local, state, and national linkages. The Texas Information Services project had as its primary goal that of providing a procedural model for dissemination in support of the activities of teacher centers.

The Dallas Teacher Training Complex, which joined the project in 1971, differed in one important respect from the four teacher centers developed in 1970. In each of the four original teacher centers the university was

the coordinating institution. In the Dallas Teacher Training Complex the Dallas Independent School District was the coordinating institution.

The state level advisory board on teacher education/certification (State Board of Examiners for Teacher Education) was restructured in September of 1972 to be more broadly representative of the total profession. This board, established in 1969, and designed to have the responsibility for recommending to the State Board of Education requirements for certification, teacher education standards, institutions of higher learning to be approved for teacher preparation, and programs of teacher education to be approved for certification purposes, was composed of 27 members as follows:

State Commissioner of Education, ex officio, chairman

Six public school teachers and instructional support personnel

Four public school administrators including at least one personnel director

Five representatives-at-large of organized professional groups

Two college/university presidents or appropriate alternates

Four deans or heads of education

Two college/university teachers

Two college/university certification officers

One liaison staff member from the Coordinating Board, Texas College, and University System, nominated by the Commissioner of Higher Education.

The new standards as approved by the State Board of Education on June 10, 1972, broadened the statutory requirement of a contractual agreement (Student Teacher Center) between the college/university and school district for student teaching purposes, to include representatives of local professional organizations. Also, the role of this local component was expanded to include advisement on the total teacher education program. To

make the "Local Cooperative Teacher Education Center" workable, the new standards required that the State Board of Examiners for teacher education not consider any programs presented by an institution unless evidence was presented that the program was developed in keeping with the advisement of the local centers.

The competency/performance-based concept of teacher education and certification for all of Texas was made mandatory by the State Board of Education action on June 10, 1972. September 1, 1972 was established as the official date to begin development and implementation of the new program with the transition from the present program to the competency/performance-based program to be completed by September 1, 1977. The State Board of Examiners for Teacher Education was instructed that all new programs recommended after September 1, 1972, must be competency/performance-based. To facilitate the transition and to give emphasis to the development of the competency/performance-based procedure, a State Commission for Professional Competencies was established. This board, which is composed of 30 members is, like the State Board of Examiners for Teacher Education, broadly representative of the profession; however, it has a much larger percentage of classroom teachers and instructional support personnel. Its primary responsibility will be to serve as a continuing task force on professional competencies.

In summary, this two and one-half year process set in motion (due to current controversy it is not clear to what extent the program will be eventually instituted) the following activities:

1. Curricula are to be based "upon objectives reflecting the institution's concept of the teacher's role and of the role of education in society." Programs which prepare teachers are to be competency based; the 1972 Standards covered the entire preparation program, including general education, teaching speciality, preprofessional experiences, and professional experiences. In a subsequent change approved by the State Board of Education in 1973, general education was deleted from the list of areas required to be based on competency specifications.

2. Effective in 1973, "local cooperative teacher education centers" were to be organized to include representatives of schools, colleges or universities, and professional associations. The centers act as advisory bodies to universities, which continue to be responsible to the commissioner and to the State Board of Education for preparation programs.

3. The State Commission for Professional Competencies was established as an advisory body to the State Board of Examiners for Teacher Education. Composed of 30 members representing colleges, teachers, school administrators, and professional organizations, the commission was instituted to process information on CBE, identify systems of competencies, and recommend competency guidelines to the State Board of Examiners.

4. A five-year transition period was established for all currently approved programs; thus September, 1977, was established as the date when all programs are to be competency/performance-based.[54]

It is apparent that the universities have been forced to share some of the authority which they previously held in the area of certification with the teachers. Under Section 11.311, Texas Education Code, 1971, public schools and teacher education institutions are to join together under State Agency leadership to establish student-teacher centers. The new standards expand the role of the public school component beyond cooperation in strengthening student teaching to include advising the teacher education institution on the total teacher education program.

We probed for possible conflicts in the acceptance of this program by the universities. By and large the TEA professionals indicated that there had been only minor disagreements and resistance. This characterization of the universities'and colleges' position was not supported when some professors were interviewed later. The following information taken from one of the interviews with a university professor is reflective of their position:

> Since 1955, Texas has employed the "Approved Program" approach to certification. The fact is important because this action threatens every Approved Program in the state, and especially those of private institutions whose bread-and-butter depends upon being approved for Teacher Education.
>
> In spite of the efforts reported to get widespread involvement and cooperation in the movement, very important and potent forces did not

> get into the act; to most, it was a curiousity or pipedream. Very few colleges/universities actually participated; those that did sent few, if any, from the academic side. Although departments of TSTA were represented, communication to the membership of those departments was very sparse. TSTA itself never really got excited. The Coordinatin Board, Texas College and University System was blissfully ignorant of the movement and its implications. When the first announcement of the pending decree hit College of Education Faculties, consternation and "dictation-by-bureaucrats" was far more common than acceptance. Resistance moved slowly, however, and even Dr. Edgar was unaware when he presented the item to the Board of the groundswell arising. Upset colleges and universities got to a few successful candidates for the Board and they, at their very first meeting, asked for re-examination of the installment schedule.
>
> The most pertinent phenomenon, in this process, is that by the time the Legislature met,at least three bills to undo what had been done, were introduced. TEA got scores of calls from individual legislators about the matter. One bill got to committee-hearing stage and top-brass from colleges and universities (including Education deans) testified for it. Clearly, <u>educationists</u> were willing and ready to have the Legislature re-assume direction of this "professional" matter--for the first time since 1955. No bill was passed; I don't know what assurances TEA gave; TSTA's stance was mildly against the bill, but exclusively on the "principle" of supporting the integrity of TEA--we're sure they will take into account the feedback from the field." (I think there's a real lesson here). Already, it is commonly assumed that the decreed deadline will be postponed, and postponed, etc., etc., until the teeth fall out of the proposal. The voices of the Competency-based advocates are getting weaker and weaker, except in their own circles.[55]

In its original form CBTE included all aspects of the prospective teacher program. Due to heated opposition from the Arts and Science faculties in most of the Texas colleges and universities, "general education" was exempted from this requirement by the SBE in October of 1973. Continued opposition to CBTE remains. These opponents are in agreement with professional organizations. An excerpt from a position taken by the American Association of University Professors expresses, "Its contempt of current efforts by various states to impose an exclusive, inflexible approach to teacher education such as CBTE."[56] The Southwestern Social Science Association has stated: "That what Texas has done (and what is threatened) is inimical to the most rudimentary academic freedom of individual professors."[57]

With the degree of controversy and opposition that CBTE has brought it seems apparent that the implementation of CBTE for Texas had been slowed by

this "fire storm" of opposition from the universities.

Desegregation

A brief overview of the progress of desegregation in Texas would indicate that much voluntary desegregation has taken place in the Southern and Western areas of the state. Blacks are generally few in number in these areas and Latin American minorities have been attending school with Anglos for a number of years. The areas of least progress have been in east Texas where the majority of the black population is located. Progress has been very slow in the large cities also, with many of them going forward with court ordered plans only after extensive litigation. A study by the Department of Health, Education, and Welfare indicates that at the close of the 1960s, sixteen years after segregation policies became unconstitutional, 63.1 per cent all Texas black students were still attending schools which were 95 to 100 per cent black.[58] Moreover, 72.3 per cent of all Mexican-American students attended schools where their minority comprised the majority of students.

The Texas legislature has passed legislation that restricted progress in this area. Some of these laws included:

(1) Laws forbidding desegregation without first holding a referendum and securing the approval of the electorate.

(2) Provisions for denying state funds to districts which did not comply with state provisions on desegregation.

(3) The law pertaining to compulsory attendance was modified and under some conditions no longer mandatory.

(4) Laws permitting the closing of schools were passed.[59]

The Texas legislature engaged in delaying tactics in the late 50s and early 60s (most such legislation has been voided by Federal Court decisions), but in recent years the state level government in Texas has not taken a highly visible role in obstructing desegregation. Texas tended to behave as did border states by not engaging in "strident" resistance to desegregation.

However, none of the principal state level actors have developed a plan or strategy to bring about positive action.

The State Education Agency over the years has avoided becoming involved in this issue. The TEA stance toward "localism" (local control) of course supported this position. In effect the struggle for desegregation has been conducted among local school districts, minority groups, and federal enforcement officials. The TEA's involvement by and large has been restricted to compliance activity associated with federal grant programs. The presence of more than 1,140 school districts complicates the task of those who advocate desegregation when they must approach it on a district by district basis. Much of the action that has occurred in Texas in the desegregation area took place after officials had a court order on which to base their actions. The recent (1971) court order by Federal Judge Wayne Justice seems to have placed the TEA in a posture that heretofore it was able to avoid. The Modified Order, Civil Action No. 5281, United States District Court Eastern District of Texas, Tyler Division, caused a change in the method of operation of the Texas Education Agency.

Prior to this order, the Agency had assumed a consultative role in assisting school districts in complying with the provisions of the Federal Civil Rights Act of 1964 and had been responsible for reporting serious violations to the Department of Health, Education, and Welfare. Civil Action 5281 placed the Agency in an enforcement role in seeing that Texas districts complied with statutory and court ordered desegregation requirements. The court order attempted to convey to the Agency sanction powers which were not authorized under state law. The Agency was ordered to suspend accreditation and withhold foundation funds of school districts that disregarded the orders of the Court and the Agency warnings. The areas of compliance, as summarized by TEA, follow:

Student Transfers--Applications for student transfer are to be denied when in the opinion of the Texas Education Agency the cumulative effect in either the sending or receiving school or school district would reduce or impede desegregation or result in a continuation of discriminatory treatment of students on the ground of race, color, or national origin.

Boundary Line Changes--Changes in school district boundaries by either annexation or consolidation are not to be allowed where such changes adversely affect the desegregation process in either of the districts concerned.

Pupil Transportation--The Agency was ordered not to permit any kind of bus routes designed to create or maintain a dual school transportation system based upon race. Investigations must be made of all routes which serve 66 per cent or more students of a minority group and are duplicated by buses serving more than 66 per cent of another race.

Extracurricular Activities--Extracurricular activities must also be operated in a non-discriminatory manner. If they are not, the Agency is to suspend accreditation and withhold a part of the state money. The school must not curtail activities to evade desegregation. A member of the Agency's technical assistance staff must accompany each accreditation team to check the school's compliance in this area.

Staff and Student Assignment--Accreditation and state money may be withheld from any school district found to be guilty of discriminatory practices related to race, color, or national origin in the hiring, assigning, promoting, demoting, reassigning, dismissing, or treatment of faculty and staff members who work directly with children. In addition the Agency has the responsibility of determining that the assignment of pupils to schools, individual classrooms or activities is not made on the basis of race, color or national origin, except where required to comply with constitutional standards.

Curriculum Offerings--The Agency was ordered to institute a study of the educational needs of minority children and to develop and recommend curriculum offerings and programs to ensure equal educational opportunities of all children.

Grievance Procedures--Procedures for making complaints and presenting grievances against a school district were to be developed and leaflets, both in the English and Spanish languages, were to be distributed.[60]

It should be noted that Texas has had an extremely permissive student transfer policy for students to go from one school district to another so long as the sending and receiving school agreed to the transfer. The original intent of this was to indirectly bring about consolidation since it was felt that students would transfer from small poor quality schools forcing those districts to close down. Historically, the TEA has not had the power to bring

about consolidation and this issue is always resisted in the legislature. The liberal transfer policy in recent years has become a gambit for avoiding integration. During the 1971-1972 school year there were more than 30,000 requests for transfers to other districts, of which 27,000 were approved. With the new court order in effect, the number of requests dropped substantially. Local administrators are reluctant to approve applications knowing the TEA will place all applications under close scrutiny.

During 1971-1972 as a direct result of the court order, Agency staff identified, visited, and made on-site reviews of 38 school districts with fewer than 250 ADA, and with more than 66 per cent minority enrollment; identified and made on-site reviews of 144 school districts that had schools of more than 66 per cent minority enrollment; served on accreditation teams making on-site visits to 117 districts in order to review extra-curricular activities and examine personnel practices; and investigated 20 complaints of discrimination filed by parents, students, and teachers in various districts.[61]

Since 1968 the Texas Education Agency has provided technical assistance to local school districts in meeting U. S. Department of Health, Education, and Welfare desegregation guidelines. Members of the technical services staff have helped local school districts develop desegregation plans, assisted in the solving of problems which resulted from school desegregation, and investigated numerous complaints from school patrons. Workshops also have been conducted at a number of regional service centers across the state by the technical services staff. The Texas Education Agency requested $90,000 for the operation of the Technical Services Program in 1971. The program was originally designed to carry out a consultative role but the Federal Court Order under which the Agency was placed in 1971 put them in the enforcement business. Since Judge Justice handed down his court order, the technical services

staff has had nine professionals (enforcement-investigation) and two secretaries devoting the majority of their time to carrying out the provisions of the court order.

The attitude of the TEA toward the court order placing them in the enforcement position was not one of "jubilation," but they have accepted the fact and are making efforts to carry out this task. One member of the TEA staff indicated that there was no organized opposition but many parents, teachers, and school administrators were not very happy with the situation. He stated further that he could not think of any organization that had publicly attacked the court order, but that the "Texas Association of School Boards was probably against it, since they reflected local attitudes."

The strategy employed by the Technical Services staff appeared to be based on showing school district officials how to comply with the court order so that the TEA would not have to withdraw funds or accreditation from a school district (to date no funds or accreditations have had to be withheld).

In one instance, this court order caused a minor disagreement between the SBE and the State Commissioner. A predominantly white area in the Houston school district attempted to withdraw from that district and establish itself as an independent school district. This application was ruled upon negatively by the State Commissioner, with the court order being cited as the chief reason. At the next meeting of the SBE a delegation from this area in Houston was present for the meeting. Representatives of this group presented an impassioned plea for the SBE to rule favorably on their application (to overrule the State Commissioner), which they did.

The SBE was informed (privately) at the conclusion of this meeting of the possible consequences of its action: (1) the action of the SBE would probably result in an injunction restraining its decision since it was clearly in

violation of the court order; and (2) the action of the SBE could encourage other areas to engage in this type of action, the clear implication here being that the SBE would find itself at the center of these controversies rather than the courts. A Federal Court did stop the proposed disannexation, and the SBE decided not to pursue the matter. According to one member of the Board, the SBE later realized its mistake and regretted that it had embarrassed the State Commissioner with its previous action.

The TEA has taken some steps through the Technical Assistance Program to assist local districts with the problem of desegregation. The development of curriculum guides and the sponsoring of a number of workshops where model programs for desegregation developed by local districts have been presented are illustrative of these activities.

In summary, most of the actors in state education policy making in Texas have not played a highly visible role in the area of desegregation. It appears in most instances they have avoided doing anything in a positive fashion while the legislature has taken some negative action in this area. The role of the TEA has become more positive as a result of the most recent court order, even if they are reluctant about the role in which they now find themselves. This issue may point to the importance of legal pressure as a stimulus for educational policy making in Texas.

Regional Education Service Centers

Prior to 1965, two attempts to gain passage of legislation that would establish some type of regional educational service agency had been unsuccessful. The 1965 proposal to establish regional education media centers was a part of the education package developed by TEA and recommended to the legislature. The act was passed and it gave the TEA broad responsibility for

determining the number of centers, their boundaries, their organizational structure, and the rules and regulations for their operation. The legislation specified that the centers' mission was to provide regional education media services. Centers were to serve a minimum of 50,000 pupils with exception being permitted in sparsely populated areas. State support was provided beginning in 1967. The expenditure of School Foundation Program funds was authorized, these were to match on a dollar for dollar basis local school district contributions that were to be not less than fifty cents nor more than one dollar per student in average daily attendance. This legislation provided the foundation for a state system of regional centers but it was limited initially to providing a single service.

The TEA recognized the need for a system of regional agencies that would provide a broader array of services than just media. The required planning for broadening the scope of the RESC was enhanced by Title V of the Elementary Secondary Education Act (ESEA) of 1965. Also, during this same time, Title III of the ESEA of 1965 made federal funds available for the support of supplementary service centers and the testing and dissemination of promising educational practices. In Texas the highest priority for the use of these funds was given to the establishment and support of a statewide system of regional educational service centers. With this support the SBE requested in 1967 that the state legislature broaden the scope of operations and services that the RESCs could provide without asking for additional state support at that time. The requested legislation was enacted in 1967 and the SBE was given broad authority to establish RESCs. The broader purposes of these centers as a result of this legislation were to provide educational services to the school districts and to coordinate educational planning in the region. These centers might become locally controlled agencies or branch

offices of the TEA. The decision rested with TEA.

The RESCs have been in operation since the fall of 1967. Although responsive to the expectations and wishes of the TEA, they are not branch offices. They are independent and locally controlled agencies that respond to the needs and wishes of local school districts. The Texas Attorney General has certified the service centers as local education agencies. Twenty centers were established in 1967. The organizational plan for the service centers allows them a considerable amount of flexibility in meeting the needs of local school districts.

Services Provided. According to the State Plan-Procedures and Policies for the Operation of Regional Education Service Centers, the purposes of the service centers are to provide:[62]

- Regional educational planning as a part of statewide planning
- Educational media services
- Other services needed and desired by local school districts
- Participation in statewide education programs as requested by the Commissioner of Education and the State Board of Education

Services offered by RESCs vary from region to region. Among the services most commonly offered are educational media production and lending services, educational planning, services related to education of the handicapped, computer services, in-service staff development, guidance and counseling services, vocational education for the handicapped, programs for bilingual and migrant students, staff and curriculum development related to school desegregation, driver education and adult basic education.

Governing RESC. The policy making body for the service centers is a regional board of directors composed of five or seven members. The service center boards of directors operate in a fashion similar to local school boards

in a number of ways. They employ professional staff and fix their salaries, they approve a budget and expenditures, and direct that necessary reports be prepared and submitted. Two major differences are: (1) they do not have the authority to levy taxes or vote bonds to finance construction and (2) the directors are not elected by popular vote of qualified voters in the region. Members of a service center board of directors are elected by a regional Joint Committee. The Joint Committee is composed of representatives of local school districts (in most cases the superintendent or an assistant superintendent) and representatives from each four-year, higher education institution within the region with an approved teacher education program. The Joint Committee also serves as an advisory body to the service center board of directors.

Financing Service Centers. As described earlier, the 1965 legislation provided for matching state and local financing for regional media services. Local school participation in and support of regional media services is voluntary. During the first year of operation the service centers provided media services to school districts having more than 70 per cent of the state's total students in average daily attendance. During the second and third years services were provided to approximately 87 per cent of the state's total ADA. In 1969 the state legislature provided state funds to support regional computer services and a variety of special education services for handicapped children In 1971 legislation was passed that increased state support for the RESCs. This permitted cooperative agreements whereby service centers could receive special service personnel units not utilized by local school districts. Also the RESCs were included in the school foundation program in 1972 and were allocated funds, on the basis of $2.00 per pupil in ADA in the districts included. Federal funds have provided a major source for the RESC from the

very beginning. Title III of the ESEA has been the major source of these funds. Other sources of federal support received by some or all of the service centers include Title I, Title VI, and Title VII of the ESEA Act of 1965, Vocational Education for the Handicapped and Vocational Act of 1963 (Adult Basic Education), Law Enforcement Assistance Act (drug education), National Highway Safety Act (driver education), Title IV of the Civil Rights Act of 1964 and the Education Professions Development Act.

Problems and Issues Surrounding RESCs. The Regional Educational Service Centers in Texas have been developed through what appears to have been a consensual process. It was difficult for us to determine from key actors whether any significant controversies arose over this issue. However, examination of some of the published reports, studies, and recommendations reveal that there may have been disagreement in a number of areas as these RESCs were being organized. Some of these issues were:

1. Should the RESCs be branch offices of the TEA or locally controlled?
2. What effect will the RESCs have on the role of the county superintendent?
3. Should the RESCs mesh with other regional governmental arrangements so that a broader array of problems could be addressed?
4. Should the RESCs be used as a vehicle for much needed school consolidation?

The names of intermediate educational units vary. In some states they are called intermediate school districts; in others, they are cooperative educational service agencies. Despite their variety in names and patterns, the primary issue they pose has been identical: should the intermediate units render only services to local public schools, or should they perform other educational functions as well?

Like the Boards of Cooperative Services in Colorado and Educational Service Units in Nebraska, Texas RESCs have developed as service instruments

for and by local school districts. This policy reflects the preference of most Texas school superintendents, according to a survey conducted on this topic.[63] Dr. Forrest E. Watson found only 17.3 per cent of the superintendents in the state favored the idea that the centers "become a regional office of the Texas Education Agency."[64] However, the 1969 report of the Governor's Committee on public school education recommended that the RESC be replaced with TEA bran ffices on the basis that:

> ...Many of the administrative functions and consultative services now provided by the TEA from its Austin office could be offered more effectively from regional offices on a decentralized basis...[65]

It would appear that there has been an on-going debate as to whether the RESC should be locally controlled and oriented they now are or extensions of the TEA.

Historically, the intermediate agent between a state agency of education and community public schools has been the elected County Superintendent of Schools. In Texas the county superintendents were originally administrative arms of the State with regulatory powers, record-keeping duties, and educational leadership functions. As of September, 1972, TEA records showed 127 County School Superintendent positions remaining in Texas. Out of the 127, 50 were in counties without any common school districts and, therefore, without any official duties to perform. There were 102 instances in which the County Judge performed ex-officio the dwindling duties of the county superintendent. Many of these county superintendents see the growth of the RESCs as further intent by the state to abolish the position of County Superintendent. The Assistant Commissioner who coordinates RESCs indicated that county superintendents had not looked at the RESCs with enthusiasm from the very beginning of the program.

In 1965 the Texas legislature enacted a statute to authorize and encourage cities and counties to cooperate in planning improvements of the health, safety, and general welfare of citizens. In 1968, the Governor delineated 21 planning regions in the state. These regions have become known as Councils of Government or COGS. Some governmental actors have expressed the view that the RESCs and COGS should use the same regional boundaries to mesh and facilitate better overall planning. None of the current boundaries are coterminous with the state planning regions. Outside of drug abuse control, there have been few instances of collaboration between the RESCs and the COGS.

Lastly, the number of small school districts in Texas (two-thirds have fewer than 1,200 students) has been a problem of continuing concern for a number of years. Neither the State Board nor the Commissioner of Education has been delegated direct authority to consolidate inefficient school districts. Some policy actors are in favor of using the RESCs as a vehicle to bring about some consolidation, while others see the mission of the RESCs as one of service and not consolidation. Those taking the latter position think consolidation should be left to the Texas legislature which has been traditionally rural oriented. Re-apportionment and the ramifications that could flow from a Rodriguez-type decision might cause the State Legislature and the State Board of Education to re-examine their traditional support of "localism."

As the RESC system has matured, however, it appears to be generating a specific role for itself. Increasingly, it is a source and resource for programmatic change. The Centers are serving as transformer-delivery agents for new TEA program thrusts, such as those in Special Education, Early Childhood Education, and Bi-lingual Education. The center directors compose a

State Planning Council which makes increasingly potent contributions to the formulation of TEA thrusts. Also, the Centers are serving as loci for staff development through in-service education, both as initiators and as respondents to local district requests. In-service education currently accounts for 40 to 50 per cent of each Center's resource-application. And so far, the RESC system has been successful in shunting off the many attempts that have been made to place it in regulatory or enforcement roles.

In summary, the RESCs have been a creative step in the improvement of the delivery of services in the Texas education system. The TEA engaged in a great deal of planning and effort in order to bring this project to its current stage. Some policy actors have expressed the view that the role that the RESCs are to play in the future has not been fully decided. Whether they are to be more closely allied with the TEA or controlled by and large at the local level has been decided for the present; but this could change. It appears that many of the policy questions surrounding this issue reflect the great deference that is paid to "localism" in the state of Texas. The RESCs could have been established as regional offices of the TEA, but they were placed under local control. They have not been used as a vehicle to replace county superintendents or to advance school consolidation. These questions remain in the hands of the legislature. The use of a wider focus in establishing their mission to include working with other levels of government has been avoided, and they are operating in a rather narrowly defined education arena. A partial explanation of the lack of contention surrounding this issue could be that the possible points of conflict were solved on the basis of the traditional beliefs held by the educational establishment in Texas.

POLICY ACTORS AND RELATIONSHIPS

The relationship of each of the groups and actors in this education system and their impact on the system is a necessary part of our study. We have attempted to determine this by using structured and open-ended interviews, questionnaire data, and by examining secondary sources. Questions concerning the four specific issues and more general questions designed to gain overall perceptions were used to ascertain the role, relative influence, and other characteristics of each group or actor.

Relationship of the Legislature to Other Actors

The legislature, particularly the committees of the legislature, are crucial arenas of the policy-making process for public schools. Important decisions are made in committee, and the principal legislative leadership for a given bill will more than likely come from the committee handling that bill. The Governor's program usually carries a high priority within the committees. Generally, public school questions are left alone by the presiding officers and are handled by the education committees. If the question is controversial, the presiding officer is understandably reluctant to become actively involved.

Legislative committees are able to play a dominant role in Texas because they are the most cohesive units in the legislative process. There are no party caucuses or party Whips to enforce party loyalties or maintain party discipline among legislators. About the only cohesion shown outside the committee system is generated in the race for the speakership. Reporters traditionally coin names for the cohesive group around the speaker such as "Ben's Boys" (the supporters of Speaker Ben Barnes, 1966). There has been no study of legislative roll call votes in Texas to indicate whether even this

cohesion exists.[66]

The House Education committee and House Appropriations committee did not appear to have the "power" that was attributed to their counterparts in the Senate. Secondly, the committee chairmen in the House were relative newcomers to those positions. Representative Kubiak was in his first term as the House Education committee chairman and Representative Caldwell, chairman of the House Appropriations committee, was in his first term on the committee. The high turnover rate from session to session on committees in the House has also served to moderate committee influence.

In the Senate the dominant figure in Texas education legislation sits as chairman of the Senate Finance committee. Senator A. M. Aikin, Jr. of Paris, Texas has served continuously in the legislature since 1933. Senator Aikin has also served as chairman of the Education Committee in past years. Senator Aikin was named by most of the legislators we interviewed as being the most influential man in the legislature on matters affecting the public schools. This is supported by the fact that he has sponsored most of the important public school legislation for many years, dating back to the Gilmer-Aikin Laws passed in 1949. Since the Senate is much smaller, Senator Aikin's influence is more personal and on educational issues the necessary support can be secured through informal relations. One senator stated "I vote with Aikin on Education, and he votes with me on Water."[67]

The Senate Education Committee headed by Oscar Mauzy is probably the second most important committee in the legislature. Senator Mauzy has been particularly concerned with the problems of providing education in an urban environment. He is in his second term as chairman of the Education committee and seems to be making efforts to expand his committee's support staff so that the committee can have a greater impact on policy making.

Although the Texas committee system does permit a division of legislative work, it is conjecturable as to what extent it provides the legislature with policy experts or specialists. The short duration of legislative sessions, the lack of professional staff assistance for most committees, and the rather large turnover in members from session to session all work against the growth of expertness. To put it another way, the committee system does not disperse power in the Texas legislature as does the committee system in the United States Congress. Despite these shortcomings, the committee structure in the Texas legislature remains the central arena for policy making.

Legislative debate is often carried on along liberal-conservative lines (different factions of the Democratic party). This polarity has existed for many years. Liberal forces in the legislature almost always support education bills, and opposition forces are usually conservatives who complain about big spending in government. One senator interviewed said "We never seem to be able to satisfy that education bunch."[68] A number of legislators identified this conflict or debate as being along business vs. labor lines and others referred to spokesmen for wealthy school districts as opposed to those from poor school districts. Conflict between supporters and opponents of the Governor was not rated as significant nor was conflict between the political parties seen as an important factor within the legislature.

The rural-urban split is accentuated in the Texas legislature by the fact that the TSTA is strongest among what might be labeled small town or rural legislators. In fact as the reapportionment of the legislature continues to bring in more urban oriented legislators, it may be questionable as to whether the TSTA can maintain their strong position in the legislature.

In looking at sources of information for the legislature one finds a rather restricted range, as noted in Table 3. The legislators who were

interviewed generally identified three sources of information when they had to deal with school finance and and education bills. These were: (1) the Texas Education Agency, (2) the Texas State Teachers Association, and (3) local district sources. Other sources mentioned on a less frequent basis were the Texas Association of School Boards and the State Board of Education.

Table 3
Legislative Information Sources (R=10)

Source	Frequency Mentioned
Texas Education Agency	9
Texas State Teachers Association	7
Local District Sources	4
Texas Association of School Boards	3
State Board of Education	2
Legislative Budget Board	1

When legislators were asked to identify the source of information which they found most useful, TSTA was identified by four of the legislators interviewed and the TEA was also identified by four legislators. Other individuals or groups that were identified less frequently were: local sources, Texas Association of School Boards, National Education Association, and the Legislative Budget Board.

The influence of the education interest groups in comparison with other non-education interest groups in the state was rated very high by members of the legislature. Five members indicated that the TSTA was the top group and the five other legislators rated the education interest groups as among the most influential groups in the legislature. The TSTA was identified by all ten legislators as being the most influential group among the education groups. When asked why in particular this group was so influential, the legislators identified "Voting Clout" (including size of membership), as the primary reason.

Other factors that were mentioned by legislators were: status of teachers in local communities, lobbying efforts of the TSTA, and the degree of organization which they had achieved.

A number of legislators interviewed felt that the members of the legislature had "knuckled under" on too many occasions to the TSTA. The general feeling was that no one wanted to incur their opposition at election time. One legislator stated: "While they may not be able to help you a great deal, they sure as hell can hurt you."

The other education interest group that regularly plays an active role in the legislative arena is the Texas Association of School Boards. Their visibility has increased over the last few years due to teacher militancy and the press for consultation rights (negotiations). Since the TEA has not chosen to counter or challenge the bills that the TSTA pushes in the legislature, this leaves the TASB in the unenviable position of being the only active counter force in the legislative arena. This is a very uneven match-up since most legislators felt the TASB had a minimum of influence in the legislature. Some groups that were pointed out as having some influence in specific areas of legislation were: the Vocational Education Associations (or lobbies); and the State Council for Exceptional Children (special education).

Legislators indicated that education interest groups were basically united on most issues that came before the legislature. The two issues most frequently mentioned as sources of conflict between the TSTA and TASB were the continuing contract (tenure) bill and the professional consultation (negotiations) bill.

In assessing the importance of the SBE in actually formulating and working for education legislation, five members of the legislature thought the SBE was one of the most inportant participants; four other members of the legislature considered the SBE a participant of minor importance. Only one

of the ten felt the SBE was the single most important participant in the process of working for education legislation. This assessment seems quite complimentary to the SBE given the fact that legislators indicated that the SBE does not communicate very often with that body and it is not publicly active. Legislators used such words as "low profile" and "conservative" in referring to the SBE. Some members of the legislature did indicate that there were some signs that the SBE might be changing or going through transition since 14 new members, many with an urban orientation, were elected in 1972.

The legislators, in viewing Commissioner Edgar, emphasized his image as an educational authority and the high respect which everyone had for him. They indicated that he used a rather low-profile professional approach in his dealings with the legislature. The legislators did not see him as being highly political within the party structure nor did they feel he made much of an effort to maintain a close personal relationship with the governor.

The TEA was viewed by legislators in much the same fashion as the State Commissioner, that is, rather professional and non-political. Marlin Brockette, the Deputy Commissioner was most frequently identified as the official within the TEA who provided information to the legislature and coordinated relations between these two bodies.

When asked to evaluate the information coming to the legislature from the TEA, seven legislators indicated that it usually met their needs, two legislators indicated that the information from the TEA met their needs only some of the time, and one legislator indicated that it never met his needs. The two types of criticism that the legislators had of the TEA's information was that (1) in some instances it was overly technical and (2) it was limited to those bills that the TEA was sponsoring.

In looking at the four specific issues which we researched, the Texas legislature appeared to play a dominant role in only one, - the drawing up of alternative finance proposals in response to the Rodriguez decision. The legislature provided the necessary authorization to bring about the RESCs, but they left the organization and structure of these centers in the hands of the TEA. While the legislature used delaying tactics in the early years of desegregation, it has done little in this area in recent years. The legislature has passed enabling legislation in the area of certification (Student Teaching Act) and may be called upon to take additional action in this area. In summary, legislative involvement in education is limited primarily to financial matters. In this area, legislators are frequently dependent on the TSTA and the TEA for guidance and information. Outside of the area of finance legislators tend to defer to the preferences of the educational establishment, but some split in the establishment is now on the horizon.

Relationship of the Governor to Other Actors

In our previous discussion of the formal powers of the Governor, we emphasized the overall weakness of this position in Texas. This is not to say that the Governor does not play an <u>important</u> role in the process of policy making in the state of Texas.

Thinking back over his tenure as Governor of Texas (1949-1957), Alan Shivers wrote, "The Governor of Texas is something of a paper tiger. The traditions and trappings of such a high office promise more real power for the Governor than has been provided under our still viable Constitution of 1876." He added, however, that "if an impression has been created that the Governor of Texas is without influence in the state government, it should be corrected at once."[69]

Contained in this statement and others like it made by several Texans is the belief that the Governor of Texas possesses influence in the political system but not sufficient authority to control policy making. This relative lack of authority gives some governors an excuse to do very little during their incumbencies; they offer no legislative program, make no appeals, and serve only as ceremonial heads of state. Others, however, take such authority as is available, combine it with personal and partisan popularity, and act as initiators--offering gubernatorial programs, building coalitions, and working on legislative strategies.[70]

The personality of the Governor also contributes to his powers of persuasion. The fact that he was able to influence the Legislature in the 1960s, for example, illustrated Governor John Connally's popularity among Texans. Four months after his inauguration in 1963, Connally received the approval of 54 per cent of the Texans surveyed on his conduct as Governor; seven months later the figure had risen to 79 per cent. In contrast, the percentage favoring Governor Preston Smith's performance fell from 54 per cent in March 1969, two months after taking office, to 48 per cent three months later.[71] The lack of influence attributed to Governor Smith by legislators, might have resulted from his relatively poor public image. Whether Texas has a strong or weak governor depends a great deal on the way the man is perceived by the general public. A number of actors stated that more for public education was accomplished during Governor Smith's administration than in any administration of recent times "but no one knew it." He was in favor of House Bill 240 passed in 1971 which gave teachers 10 years of automatic pay increases. He was a strong advocate of technical and vocational education. Smith himself pointed out that in the last election (1972) he had received "less votes than there are teachers in Texas" in spite of having been an extremely pro-education governor.[72]

Most members of the legislature felt that Governor Smith had emphasized Technical and Vocational education and increases in teachers' salaries (H.B. 240) in his legislative program. While legislators felt that Governor Smith was pro-education and had good relations with the different education groups, they did not rate his influence on education proposals highly. In describing his methods within the legislature, most legislators felt he tended to argue the merits of a proposal and did little else. The phrase "low-key approach" was used by some legislators, indicating that the governor did not engage in heavy "arm twisting." A number of legislators pointed out that the office of the Governor in Texas is inherently weak. Other legislators indicated that Governor Smith was considered a rather weak Governor by Texas standards.

The members of the Governor's staff that we interviewed tended to support many of the points made previously by legislators. The staff members referred to the Governor's style as being low-key and merely arguing the merits of a piece of legislation. Members of the Governor's staff indicated that they received communication from the SBE in the form of written recommendations, personal visits, and phone calls. The staff indicated that these contacts were rather infrequent. They indicated that the Governor would occasionally meet with individual members of the SBE and particularly its chairman, Ben Howell. When asked to evaluate the SBE as a source of advice and ideas to the Governor's office, two of his staff members felt it was an important source as did the Governor, while one member felt it was a rather minor source.

Governor Smith appeared to have a good working relationship with the various educational interest groups. We interviewed six education interest group leaders, including those representing the TSTA and TASB, and all indicated that they had been in general agreement with Governor Smith's emphasis on

education and that no major disagreements had occurred between their organizations and the Governor's office. All education interest group leaders felt that the TSTA had more influence with the Governor's office than any other education interest group. The two chief reasons given for this were the large size of the TSTA and the close personal relationship between L.P. Sturgeon, Executive Secretary of the TSTA, and Governor Preston Smith. A number of actors stated that the TSTA was in a more favorable position with Governor Smith than they were under former Governor Connally (1962-68). These respondents referred to former Governor Connally as being "aloof" in his relations with the interest groups.

When asked about non-educational interest groups that might have influence with the Governor on school finance matters, three members of the Governor's staff mentioned the Texas Manufacturing Association. The reason given for this was that this organization represents business and is interested in maintaining a favorable tax rate for the business community.

In summarizing the role played by Governor Smith we should again point to the contrast between his style and that of former Governor Connally. While former Governor Connally was criticized by legislators as being "aloof" and difficult to deal with, he was given credit for holding strong positions and aggressively advancing them. Governor Connally had a strained relationship with the TSTA and appeared to favor higher education. However, he was responsible for the creation of the Governor's Committee on Public School Education in 1966. While this Committee was viewed with reservations by some in the education establishment, in retrospect the recommendations of this Committee served as a stimulus for education policy development in a number of areas in Texas.

Governor Smith was viewed as being pro-education by legislators, but many felt that the Governor did not take strong stands but deferred to the TEA and TSTA in the area of education. The TSTA spoke highly of Governor Smith and TEA officials thought he was very cooperative. Though a great deal of progress was made in some education areas during Governor Smith's administration, he is not given much credit for these accomplishments.

The Relationship of the SBE to Other Actors

In viewing the SBE and its role in the policy process, Usdan, et.al. may have been harsh in their assessment:

> In the opinion of some legislators and university professors, the state Board of education is a farce. They claim that it is made up of "well intentioned but incompetent laymen who have been elected, in effect, by local teachers' groups." In fact, the teachers' groups are the only one who do seem really interested in the board.[73]

Our observations do not support the contention that the SBE is a farce or rubber stamp. We have alluded to some of the actions of the SBE which point toward a more vigorous role. As to the charge that the members of the SBE are incompetent laymen, the majority of the SBE members appeared to us to be well educated and highly successful professionals or businessmen. This is not to say that the SBE is looked upon as a "major policy initiator" in the education policy arena, but our data suggest that the SBE was not viewed as a rubber stamp for other actors in the system. The fact that our perception of the Texas State Board of Education differs somewhat from that of other researchers could be due to two factors: (1) The Rodriguez decision involved the SBE to such an extent that their visibility was increased and (2) A large number of new members were elected to the Board in 1972 as a result of reapportionment.

Members of the Texas SBE indicated that they devoted much time each month to their roles as board members. Four members indicated that they devoted more than a week per month to this role, five members indicated that they spent four to six days, and two members indicated they spent only two or three days a month working as a board member. The fact that nine of the eleven indicated four or more days on this job was a greater time demand than we anticipated.

All of the board members interviewed indicated that their chief source of information concerning items that came before the SBE was the State Commissioner. Sources in addition to the State Commissioner that were mentioned by board members were: local teachers or administrators, 4 members; TSTA, 2; University of Texas, 1; and the Texas Research League, 1. Ten of the eleven members indicated that the information which they received from the TEA either usually or always met their needs. The chief criticism of the material was that it was too extensive for any one individual to absorb. Members stated that the material should have been more concise and to-the-point.

The board members did not feel that the SBE was divided according to either geographic loyalties or racial and ethnic loyalties. Two members did indicate that this might change since a black and a Mexican-American had just been elected to the new board. One respondent also mentioned the fact that one of the new female members of the board had been particularly active in the Women's Rights movement.

When the SBE members were asked to indicate the working style of their board they responded in the following manner:

1. Board is harmonious, little serious disagreement 1
2. Board is usually in agreement, but there are board members who sometimes dissent 6

3. Board tends to divide into rival factions of nearly equal strength 0

4. Board tends to divide into rival factions, but there is a clear working majority on the Board 0

5. Board often is divided, but the lines of division depend on the issue that is confronting the Board 4

The number who selected responses one and two was to be expected from the general attitudes expressed by most board members. We are somewhat puzzled by the fact that four members indicated response number five. It could be that they did not see this as a response that indicated any internal stress, but merely a situation where the majority shifted from issue to issue. Board members indicated that the high level of agreement on the board was because of the common data base which they had to work from and the ability of the State Commissioner to present an "above politics" approach to decision making. The SBE members continually emphasized the democratic approach of the State Commissioner and indicated that he did not take strong stands on issues but was open to their ideas and suggestions.

When we examine the four policy issues which we researched, we find that the SBE played the following roles. In respect to the Rodriguez decision, they played a highly visible role by taking the lead in declaring that they would be responsible for developing a new finance plan. While the State Commissioner and SDE provided the necessary information, capability, and research to bring this about, the SBE provided leadership on this issue. The initiating role of the SBE in the competency-based certification issue was probably minimal. While the SDE and a variety of education interests led the way on this issue, the SBE played an important role in legitimating the decision. The SBE played a supportive role in the Regional Educational Service Centers issue with the SDE and the State Commissioner leading the way. Some members of the SBE indicated that

they were in favor of a smaller scale approach to RESC. The impetus for desegregation came from the Courts. In the one instance where the SBE was confronted with the impact of the Courts' decision, it did not act in a positive manner but overruled the previous decision by the State Commissioner, a decision later regretted.

The SBE submits a set of written legislative recommendations to the State Legislature during each session of the legislature. Beyond that, only a few members of the Board indicated that they personnally testified or had personal contact with members of the legislature. Most members indicated that whatever influence they had with the legislature was due to personal prestige. They further indicated that this was the case because of the long standing "apolitical" stance of the SBE.

Three members of the SBE indicated that they had personal contact with the Governor or his staff, but most indicated they did not meet personally with the Governor or his staff. It appears that the chairman and a few long-standing members of the Board and the finance committee of the SBE carry on most of the direct relationship with the executive branch. Most members felt that personal friendship or the merits of a particular proposal were about the only means Board members had at their disposal in dealing with the Governor's office. On the other hand, members of the Governor's office felt that some SBE members had some political "clout", at the local level, at election time.

State Board members did not indicate that members of the legislature or the Governor interfered to any great extent in the affairs of the TEA of the SBE. While four members indicated that they were aware of some legislative inquiries in the area of textbooks and student transfers, they did not feel that his activity had influenced the outcome of any decision in these areas. One member indicated that he was aware of a great deal of contact between

Senator Aikin and the State Commissioner; this was prefaced by the remark they have been "good friends" for a number of years.

When asked to identify which groups contact them most frequently, either on an individual basis or official group basis, the following groups were most often mentioned: local school superintendents, TSTA, State Administrators Association (TASA), and State School Boards Association (TASB). Groups associated with labor, business, agriculture, churches, or ethnic causes were rarely mentioned. In summary, those within the education establishment were most frequently in contact with the SBE.

The TSTA was rated as the most active in their efforts to influence the SBE. Board members indicated a representative of the TSTA was present at all Board meetings and that they frequently received mail from this group stating their position particularly on teacher welfare issues.

When SBE members were asked to asses the importance of other persons or groups in influencing their views on state education policy issues, they gave the responses shown in Table 4 (11 SBE members).

The response to this question points out the reinforcing role that board members have on each other when reaching a decision. The responses further illustrate the influence which the State Commissioner has with the SBE. The fact that local educators play a large part in the selection of SBE candidates, partially explains the importance which is ascribed to this group.

Summary judgments are difficult to arrive at in respect to the Texas SBE. The membership turnover, particularly change brought on by reapportionment which required all board members to run for election in 1972 is partially responsible for this difficulty. Secondly, the Rodriguez decision generated so much SBE activity that a normal state of affairs was difficult to discern.

TABLE 4

RESPONSES OF STATE BOARD OF EDUCATION MEMBERS (11) REGARDING IMPORTANCE OF VIEWS OF CERTAIN ACTORS IN CONTRIBUTING TO BOARD POLICY POSITIONS

	Person/Group	Very Important	Important	Unimportant
1.	Views of other Board members	2	8	1
2.	Views of State Commissioner	9	2	0
3.	Views of school people who speak for local districts	2	9	0
4.	Views of state legislators	1	7	3
5.	Views of party leaders	0	2	9
6.	Views of Governor	1	7	3
7.	Views of TSTA	0	8	3
8.	Views of TASA	0	7	4

The Relationship of the State Commissioner and the TEA to Other Actors

The dominant figure in the Texas Education Agency is J.W. Edgar, the State Commissioner of Education. Edgar views the TEA's role in the legislative process as that of professional "advisor" rather than a major force in pressing demands on the legislature. Nine of the ten legislators we interviewed indicated that the State Commissioner or a member of his staff did communicate with their offices. Legislators indicated that the revenue demands of specific bills generated most of the contact between the TEA and the legislature.

The current professional-above-politics posture seems to be a reaction to the highly political posture which was the mode of operation of the TEA prior to 1949. The designers of the 1948 Gilmer-Aikin Act succeeded in establishing a highly prestigious TEA, directed by an appointed Commissioner. This was a

vast departure from conditions that existed prior to that act.

The former CSSO, T.A. Woods, first campaigned for the superintendency in 1932 and "gained political mileage from attacking the discrepancy between urban and rural districts." He established the role of the CSSO as a highly political, independent office. According to Pearson and Fuller:

> ---Woods stumped the state presenting a program of action for education, enlisting personnel support, making promises, and playing politics...used patronage to build up a loyal staff.[74]

The State Board of Education became highly critical of his political orientation, and in 1938 commented:

> ...Appointment of the State Superintendent would enable that officer to devote more time to the functions of this office than is possible under the present set-up which calls for political "fence-building."[75]

Following the 1948 Gilmer-Aikin Act which replaced an elected chief state school officer with an elected board of education and an appointed commissioner, J.W. Edgar was hired with the goal of ridding the TEA of its crass political reputation. For more than a generation, he has worked to create the image of a non-partisan, "above politics," fair-minded professional agency. Largely because of his efforts, the TEA appeared to be free from the overt political interference often found in state agencies.

Commissioner Edgar adopted a very low-profile image for himself which he has maintained to the present. His decentralized approach to decision-making has placed strong emphasis on local control. Commissioner Edgar has successfully brought about a new image to his own role and that of the TEA, and for many years his participatory style of operation has been praised in Texas government.

The relationship between the TEA and the education interest groups was evaluated positively by administrators within the TEA as well as those in leadership positions within the education interest groups (TSTA - TASB). The

TEA and members of the education interest groups worked cooperatively on the finance plans that were developed in response to the Rodriguez decision. Most professional members of the TEA either hold membership or have been members of one of the organizations within the TSTA. Alton Bowen, an Assistant Commissioner in the TEA, is also Past President of the Texas Association of School Administrators (TASA is a division of the TSTA). The Executive Secretary of the TSTA, L. P. Sturgeon, was a former Assistant Commissioner under Edgar. It is clear that relations between the TEA and the major education interest group (TSTA) are enhanced by personal and informal relations. The leaders of the TSTA indicated that they were consulted by the TEA on most major education proposals prior to their submission to the SBE or legislature. The leaders of the TASB indicated that they were consulted less frequently though they did indicate their involvement had been rather comprehensive in the process of drawing up finance proposals in response to the Rodriguez decision.

The TEA and the Commissioner were referred to by leaders in the TSTA with the use of such adjectives as "confidence," "educational authority," and "respect." The TASB leadership was somewhat less positive in their remarks. They referred to the TEA as being conservative over the years. They also commented that the TEA had been overshadowed by the TSTA for a number of years in the policy-making process.

Members of the Governor's staff indicated that they were in frequent contact with the TEA but that there had been very little contact with State Commissioner Edgar. In general, they spoke of th State Commissioner as an educational authority rather than a political figure. In our interview with Governor Smith, he tended to confirm this by stating, "The State Commissioner's job is not a highly political one in the state of Texas."

The low salaries paid by the TEA to its professional staff have created a rather high turnover rate within the Department. The fact that most of the big city superintendents in Texas are paid more than the State Commissioner was mentioned by SBE members as a problem that would confront them when they began their search for a new State Commissioner. This salary comparison is shown below in Table 5.

TABLE 5
TEA AND LARGE CITY SUPERINTENDENTS
COMPARATIVE SALARIES

TEA SALARIES		LARGE CITY SUPERINTENDENT SALARIES	
State Commissioner	$31,500	Houston	$47,500
Deputy Commissioner	28,500	Dallas	41,250
Assistant-Associate Commissioner	23,500	El Paso	38,727
		Austin	38,000
		Fort Worth	35,000
		San Antonio	35,000

Based on 1972 Salaries [76]

In summary, it appears that the TEA owes much of its stability to the long tenure of its Commissioner. He has been able to keep political interference in the agency's operations to a minimum. Commissioner Edgar has been able to maintain a good working relationship with other actors in the system, not a simple task in the face of competing demands. We believe a partial explanation of this success is the fact that the Commissioner and the TEA under his leadership have been willing to allow other groups to play the "spotlight" role on many issues. In some instances this has been the TSTA and, in others, prestigious study commissions. The agency has shown leadership in the development of Regional Education Service Centers and in the amount of funding and personnel that it is currently devoting to planning.

Texas Education Interest Groups, Structure and Relationships

Although education interest groups play a minimal formal role in the Texas policy process, they do play an active role in the system. The most important of these groups are the Texas State Teachers Association (TSTA) and Texas Association of School Boards. There appears to be growing internal stress between the Texas Classroom Teachers Association (TCTA) and the parent organization (TSTA). Some actors hinted, and others stated outright, that the TCTA would become the second most influential education interest group in Texas. We subsumed this group under the TSTA umbrella, which may have given them less attention than they deserve.

1. Texas State Teachers Association

By far the most important of the education interest groups in Texas is the Texas State Teachers Association. This organization has a membership of over 156,000 and represents more than 95 per cent of the teachers in the state.[77]

This organization has a large number of constituent groups under its umbrella. They include:

- Texas Association of Secondary Principals
- Texas Association for Supervision and Curriculum Development
- Texas Classroom Teachers Association
- Texas Association of School Librarians
- Texas Elementary Principals and Supervisors Association
- Texas Association of School Principals
- Texas Association for Continuing Adult Education
- Texas Retired Teachers Association
- Vocational Agricultural Teachers Association of Texas
- Texas Association of County Superintendents
- Texas Association of School Business Officials
- Texas Educational Secretaries Association
- Texas Association of School Administrators[78]

The day to day operations of the TSTA are carried on by the Executive Secretary-Treasurer, and the full-time professional staff of the TSTA. L.P. Sturgeon, the current Executive Secretary, has been with the TSTA since

1954 and has held his current position since 1966. Mr. Sturgeon is looked upon as being particularly effective in working with the legislature.

2. The Texas Association of School Boards

The TASB was founded in the 1930s, but did not function from 1940 to 1946. It was reactivated in 1948. The Association has grown until today it represents 542 of the 1150 local school boards in Texas.[79]

The TASB is governed by a 24-member Executive Committee and five officers elected from the ranks of local board members. The TASB maintains an office in Austin which is staffed by a Director and Associate Director who carry out most of the day-to-day functions of the organization.

In the past, the posture of the TASB has been rural oriented and its role minimal. At the present it certainly is not a "heavyweight" in the policy arena. One knowledgeable observer stated:

> TASB entrance upon attempting to influence legislative action is quite recent, and that interest was sparked primarily by the Association of Big City School Districts which, at first, attempted to support its own lobby but then decided to "contract" with TASB for alerting and lobbying services--paying a relatively large extra fee for that purpose. In turn, most actual legislative activity (such as proposing statutes, getting in touch with local legislators, appearances before committees) emanated chiefly from the Big City Association. Perceiving the TASB as gravitating toward Central City dominance, in 1970 a suburban district group was formed. But it has not yet become a formal political force although it has countered the preponderant influence of the Big City District Association in shaping TASB policy.[80]

Education interest groups in Texas usually operate in a subtle manner but at times (this is especially true of the TSTA) threats of reprisal and other power tactics are employed. In the past, some legislators have complained of these tactics. One researcher writing about the reactions of a state senator to this in 1965 quoted a senator as stating "I'd like to switch to the teachers' side if I could. The teachers in my district are writing on their blackboards that I am a fink. I'm in real trouble at home."[81]

The TSTA during recent years has concentrated heavily upon improvements in teacher salaries and other teacher welfare issues. The 1969 Governor's Committee Report on Public School Education contained numerous recommendations for improvements in the education system. Immediately after this report was issued, the TSTA consolidated many of the recommendations that dealt with the improvement of teacher welfare and vigorously pushed them through the legislature (H.B. 240). The TSTA has not shown the same enthusiasm for advancing non-teacher welfare issues. This apparent self-serving approach has been criticized by some legislators. The efforts of the TSTA in developing alternative finance plans as a result of the Rodriguez decision were accordingly viewed with suspicion by some of the other actors in the system. As one legislator stated, "They (TSTA) jump on every opportunity to develop vast new spending proposals under whatever guise that comes along."

The method used by the TSTA in developing its legislative program is relatively simple. Meetings are held with district leaders of TSTA across the state in which proposed legislation is fully discussed. If there are features in the proposed legislation that cannot be incorporated in statewide consensus the proposed legislation is dropped. After consensus has been reached on a particular piece of legislation, the leaders hold meetings with leaders of affiliated groups to explain the legislation and to ask for endorsements by the affiliates. Since membership of TSTA and affiliates tend to overlap heavily, securing endorsement is usually not a serious problem.[82]

This approach probably precludes the TSTA from advancing controversial issues into the policy arena since their program is formulated on the basis of wide consensus within the organization. The press for teacher negotiating rights and professional contracts (tenure) has been pushed forcefully within the TSTA by the classroom teachers division (TCTA). This has caused some

of the leaders in the other divisions that are more administrator oriented to at least give some thought to whether the unified monolithic organization can be maintained over the long run. One official within the TSTA acknowledged this concern but indicated that he could not see a split within the next ten years unless current discord progressed at a much more rapid rate than he anticipated.

After developing its legislative program, the TSTA sends out a questionnaire, which asks for a commitment by the legislative candidates to TSTA's legislative proposals. If a candidate does not return this questionnaire, he receives a follow-up questionnaire stating that he is being given one more chance. One legislator interviewed described this process as "nothing short of veiled threats." Of course, the TSTA would describe this as an information and education technique. The implication is clear that if the candidate commits himself to the TSTA program, he is a friend; if not, he is an enemy who should not be elected to the legislature.

After the election, the successful candidate is again contacted and offered the services of TSTA. He is told that TSTA's research facilities will be placed at his disposal to secure any information he might need. When actual legislation is presented, and this is usually done early in the session, the strategy of the TSTA is to keep a low profile if a bill it supports does not run into any obstacles. If a bill creates controversy, TSTA mounts its forces and applies pressure from various sources. For instance, an opposing legislator may be contacted by school administrators, a mail campaign may be launched by the TSTA, or a friendly legislator may be encouraged to show a fellow legislator the light. If this does not work, the pressure may become more intense, and a legislator may be described as an enemy of the school children of the state.[83]

Legislators listed the following three factors most frequently as sources of TSTA influence: (1) voting strength, (2) size of membership and (3) the standing of teachers in the local community. The absence of cohesive political parties has made the legislature somewhat more vulnerable to the tactics employed by the TSTA. The fact that the TSTA has maintained a close working relationship with the TEA has further strengthened their position in the policy arena. Last, but not the least important factor in the organization's success has been the leadership provided by L.P. Sturgeon who for many years has had a close working relationship with the State Commissioner, various state legislators, and some of the governors of Texas.

The Texas Association of School Boards is the second most frequently mentioned education interest group in Texas. This organization is not looked upon as having anywhere near the strength or power of the TSTA. However, respondents did indicate that the role of the TASB was growing. The chief reason given for this was the increasing necessity of this organization to counter some of the demands that were being advanced by the TSTA.

In summary, the TSTA is viewed by many as the single most important actor in the education policy arena in those areas in which it chooses to become active. In most instances, the TSTA restricts itself to teacher welfare issues.

SUMMARY AND INTERPRETATION

The primary purpose of this study has been to determine how and by whom influence is exercised when policy decisions are made concerning public schools at the state level. Certain aspects of the political process in which education and politics come together have been explored by examining the role of policy participants across a range of issues. Our summary and interpretation of this case study begins with a brief comparison of some of our findings with an existing study of state education politics. Secondly, some of the highlights of the case study will be reviewed with interpretive comments. Finally, we will speculate about possible changes that we forsee in the system of Texas educational politics.

In many respects, Texas resembles what Iannaccone has termed a statewide monolithic structure.[84] In this type of structure the accommodation of interest takes place outside the legislature but inside the education groups. The attitude of lawmakers towards education people is to view them as a united front in a warm "Mr. Chips" and school marm tradition. The success ratio of education lobbies in this structure is very high but they have been criticized for advancing only safe issues. The education groups avoid open conflict in this situation and strive for consensus. The education lobbies show the capacity to both initiate and oppose legislation.

At first glance, Texas appears to fit this description. Closer examination, however, reveals some differences with the conditions ascribed to the statewide monolith. While the center of accomodation in the past on Texas finance issues may have been outside the legislature and essentially within the TSTA, this proved to be inadequate for arriving at a new finance plan as a result of the Rodriguez decision. The struggle was carried on

within the legislature where the education groups did present a united front. Furthermore, issues on which the TSTA chooses not to play a role are generally resolved within the legislature with the TEA playing a major role in most instances. All education groups were not viewed warmly or positively within the Texas system. While TEA was viewed positively, the TSTA was viewed by legislators rather fearfully for they felt this group had a great deal of power. Furthermore, some legislators did not rank the TSTA high in public service but cast them in a self-serving role. The strategy of education groups in advancing safe issues and spending a great deal of time on consensus building is consistent with what we found in Texas. While the TSTA both initiates and opposes legislation, the TEA limits its activity to that of initiating legislation. The relatively controlled information flow into the Texas legislature, essentially from the TSTA and the TEA is characteristic of the statewide monolith as depicted by Iannoccone.

The need for large statewide tax increases in order to solve the inequities in the financing of education in Texas has brought new stress and strain to what may formerly have been a monolithic structure. The rise in teacher militancy and the press for negotiating rights and improved tenure provisions has heightened the tensions between the TSTA, TASB, and administrative groups. The change in the membership of the SBE and the legislature, as a result of reapportionment, could increase the demands from urban and suburban interests in a system that has traditionally served rural interest. All of these factors may pose a serious challenge to the existing methods of arriving at educational decisions in Texas.

The individuals most frequently involved in education decision making in the Texas legislature are L. P. Sturgeon (TSTA), J. W. Edgar, Commissioner of

Education or his representatives (TEA), and Senator Aikin, Chairman of the Senate Finance Committee. These men all have important positions, and they are recognized experts in education with access to most of the essential information concerning education in Texas. The role of a particular governor in legislative process will vary from governor to governor depending on the particular style of the man. Governor Preston Smith had a close working relationship with the TSTA and was considered pro-education by the education establishment (essentially TSTA and TEA).

It appears that what could be referred to an an "iron triangle" exists on basic education decisions in the legislature. J. W. Edgar, Commissioner of Education, has held his position since 1939. Senator Aikin, who has served in the legislature since 1933, was chiefly responsible for writing the Gilmer-Aikin laws which brought about the change from an elected to an appointed State Commissioner. L. P. Sturgeon, Executive Secretary of the TSTA, served for a number of years as Assistant Commissioner of Education under J. W. Edgar. In fact, for a very brief interim period in 1949, he served as State Commissioner, until a permanent commissioner could be chosen by the SBE. This was during the transition period from an elected to an appointed state commissioner. Thus, for the last twenty years, a close personal relationship has existed between the Chief committee leader in the legislature; the Commissioner; and the leader of the chief interest group.

Very little evidence was found in our study that much public pressure was exerted in the area of educational policy decision-making in Texas. When general public pressure is generated one of the major education interest groups (usually TSTA) has expended considerable effort to bring it about.

In looking at public education decision-making in Texas at the state level two groups stand out, the TEA and the TSTA. At times, they work together and

and at times separately. However, the TEA appears to avoid the position of having to oppose the requests of the TSTA. The State Commissioner and the TEA have projected a professional "above politics" image which has tended to prevent legislative meddling in the TEA. The TSTA is considered by a number of legislators to be the most effective lobby in the state. The TSTA makes a conscious effort to avoid being labeled a political action group and presents its information in a manner designed to be most useful to political leaders. The TSTA utilizes its most able people to testify before committees. The TSTA and TASB rely heavily on expertise and objectivity but when the situation requires it the TSTA can engage in pressure tactics effectively. The TASB has only recently begun to play a more active role in the process and this has been largely in response to the growing militancy of the TSTA.

The State Board of Education has played a more visible role recently, largely in response to the Rodriguez decision. Its overall role has been rather compatible with that projected by the Commissioner, that is, quiet and non-political. There was some indication that some members of the SBE did interact with the Governor on a more frequent basis than was usually the case in other states, particularly since the Board members were not appointed by the Governor.

The legislature is impeded by the short length of its session and rather limited staff. The staff and budget which they have to work with contributes to the fact that members generally look to leaders within their ranks who are considered expert on the subject under review. The Texas Governor has very weak formal powers with which to influence the system. Governor Preston Smith played very little role in the four issues which we researched. We should point out however that no educational decision requiring substantial new state taxes occurred during his administration. Now that the Rodriguez case has

brought in its wake a demand for new state taxes, Governor Dolph Briscoe is in a highly visible position on this issue.

The fact that Texas School Aid is determined by formula making it almost an automatic appropriation has tended to lessen the amount of conflict that could surround education in the legislature. Controversial bills generally are those which involve teachers' salary increases or other teacher welfare issues. The automatic teacher pay increase plan for ten years that was enacted in 1971 (H. B. 240) has alleviated some, but not all, of this controversy.

The certification process in Texas involves about the same basic actors as it does in other states, namely, SDE officials, education interest groups (teachers and administrators), university groups and the SBE. The essential point in the issue we have researched is the magnitude of the change, from an approved program type of certification to a competency based approach. This process required the cooperation of universities, teachers, administrators, local school districts, and the State Department of Education. We observed in other states that as change in certification requirements developed as an issue it generally did not generate a great deal of involvement. In most instances it was handled rather quietly among a limited number of participants until a recommendation for change was presented to the SBE. The size and magnitude of the certification change in Texas has generated a great deal more involvement and concern than is reflected in many other states at this time. Much of this conflict is found at the universities, particularly between spokesmen for education and for the liberal arts.

The creation of regional education service centers was a creative effort on the part of the TEA to improve the delivery of services to the vast number of districts in Texas. While it is true that these intermediate districts have not met the hopes or objectives of a number of actors in the system, it

could be that if the TEA had attempted to organize these centers on a more ambitious arrangement they would have come in conflict with locally held views, they might still be in the debate stage and not a reality. Clearly, the stimulus provided by the availability of federal funds enhanced the planning for and support of the regional centers.

The Texas Education Agency has had its responsibilities in the area of desegregation substantially increased as a result of the recent U.S. District Court order. While not being enthusiastic about this responsibility, the Agency has made efforts to comply with the mandates of the court order. Furthermore, this court order has mandated agency activity that would place the TEA among the leaders in respect to enforcement responsibility on desegregation when compared with other state departments of education.

The finance issue illustrates the widespread involvement of all actors in the system when the stakes are high. While the issue was heightened by the Rodriguez case it soon became apparent that the ultimate solution to this problem would place augmented new demands on the state tax structure. This circumstance brought most governmental actors into the process. It appeared at the outset that a positive and comprehensive solution would be arrived at due to the pressures of the court. However, the decision of the U.S. Supreme Court allowed many of the actors to fall back to the old system of protecting the status quo in Texas. When the stakes are as high as they were in this issue the decision is not left in the hands of the education establishment.

The TEA and the TSTA appeared to play the most salient roles in the four policy areas investigated in this study. The TEA was actively involved in all four issues; the influence of the TSTA was important in three of these areas, with desegregation being the exception. The state legislature was a major participant in dealing with school finance and the passing of enabling legis-

lation for the RESC. Up to date the legislature has had a small part in the certification decision, but it may be required to take further action. Since its early delaying tactics the legislature has not been active in the desegregation area. The State Board of Education undertook an initiating role only on the finance issue. Participation by the Texas governors was basically limited to the strong posture taken by Governor Briscoe on school finance reform.

Some signs of dramatic change in the Texas educational decision-making system were apparent from this research. We can point to a few specifics that might be forerunners of change to come. The reapportionment that has occured in the legislature and on the State Board of Education has introduced more urban and suburban representatives than ever before. This coupled with increasing urbanization of the Texas population particular y into the vast metropolitan complexes of Dallas-Fort Worth, Houston-Galveston and San Antonio-Austin could change the preoccupation of the TEA and TSTA with small district problems to those associated with an urban environment. The fact that the TEA has recently created a division of urban affairs and the fact that big city superintendents have created their own organization points in this direction. The growing militancy of the TSTA is creating stress within its own ranks. The TCTA or teachers within the organization realize that as demands grow and the system becomes more diverse and competitive, choices must be made and they want their interests aggressively represented. The TSTA may be approaching a new stage of development for the future. Changing teacher certification in such a manner that it threatens the beliefs and prerogatives of professors in the liberal arts who have heretofore not been highly active in the process, has brought on the possibility of a mammoth struggle in this area.

The willingness of minority groups to stay out of the process of education decision-making to the same degree as they have in the past in Texas may not hold true for the future. The growing concern of such groups as La Raza Unida, when resources and redistribution are at stake, is beginning to emerge as evidenced by their recent march on the state capitol.

The education policy system in Texas will be confronted with a significant turnover in key leadership positions in the near future. It is common knowledge that Commissioner Edgar wanted to retire in 1973 but was encouraged by the SBE to stay on at least through the outcome of the Rodriguez case. Whether a new Commissioner can or will have the ability to maintain the non-political image of the agency will be an important question confronting whoever fills that role. Senator Aikin has been looked to for years by fellow legislators in the field of education. This man is near the end of a long and distinguished career. His absence will certainly cause some adjustment within the legislature. The Executive Secretary of the TSTA, L. P. Sturgeon, is also considering retirement. These three men for a period of more than twenty years have been the three stable actors in the process and the extent of their combined power may have been much more extensive than it appears to be on the surface. The passing of the "iron triangle" will bring changes to the Texas system. A long history of cooperation and consensus politics could give way to new coalitions, competition, power bargaining, and compromise.

FOOTNOTES

[1]For a full disscussion of the methodology used in this study see, Roald F. Campbell and Tim L. Mazzoni, Jr., Investigating State Education Policy Systems: Methodological Approach and Resource Framework (Columbus, Ohio: The Ohio State University, 1972).

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